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UNITED NATIONS

ANNUAL REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION

16 June 1960—15 June 1961

GENERAL ASSEMBLY

OFFICIAL RECORDS : SIXTEENTH SESSION
SUPPLEMENT No. 1 (A/4800)

NEW YORK

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Foreword

I submit herewith my sixteenth annual report to the General Assembly on the work of the Organization from 16 June 1960 to 15 June 1961.

The review of the role of the Organization in world affairs which forms an Introduction to my annual report will this year be submitted, at a date nearer to the opening of the sixteenth session, as an addendum to the present document.

Dag Hammarskjöld

Dag HAMMARSKJOLD
Secretary-General

1 July 1961

ABBREVIATIONS

ACC	Administrative Committee on Co-ordination
ECA	Economic Commission for Africa
ECAFE	Economic Commission for Asia and the Far East
ECE	Economic Commission for Europe
ECLA	Economic Commission for Latin America
EPTA	Expanded Programme of Technical Assistance
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ILO	International Labour Organisation
IMCO	Inter-Governmental Maritime Consultative Organization
ITU	International Telecommunication Union
OAS	Organization of American States
ONUC	United Nations in the Congo
OPEX	Operational and Executive Personnel Programme
TAB	Technical Assistance Board
TAC	Technical Assistance Committee
UNCURK	United Nations Commission for the Unification and Rehabilitation of Korea
UNEF	United Nations Emergency Force
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNTSO	United Nations Truce Supervision Organization in Palestine
WHO	World Health Organization
WMO	World Meteorological Organization
WRY	World Refugee Year

Chapter I

THE SITUATION IN THE REPUBLIC OF THE CONGO

A. POLITICAL DEVELOPMENTS

1. Meeting of the Security Council held on 13-14 July 1960

On 7 July 1960 the Security Council unanimously recommended to the General Assembly that the Republic of the Congo (Leopoldville) should be admitted to membership in the United Nations. During the discussion some representatives said that the new Republic had an exceedingly difficult task ahead of it; they expressed the hope that it would be able to develop in order and peace and they assured it that it could count on the assistance of the United Nations and of its Members.

They referred to the wise initiative the Secretary-General had taken in delegating Mr. Ralph Bunche to be present at the proclamation of the independence of the Congo and to study the situation with a view to enabling the United Nations to provide all possible assistance to the young African State.

In the days that followed the country's accession to independence, confusion, fear and disorder gripped the country as a result of a vicious circle of events: mutinies of the *Force publique*, outbursts of violence against Europeans, the sending of metropolitan Belgian troops to protect and evacuate the threatened Europeans. The mass departure of numbers of Europeans resulted in the breakdown of many public services and important economic enterprises. The sending of Belgian troops to the Congo gave rise to a request sent to the Secretary-General on 12 July by the President and the Prime Minister of the Congo for the urgent dispatch by the United Nations of military assistance to protect the national territory of the Congo against the external aggression, which was a threat to international peace.

In their telegram of 12 July the Congolese leaders pointed out that the dispatch of metropolitan Belgian troops to the Congo had been a violation of the treaty of friendship signed between Belgium and the Republic of the Congo on 29 June 1960, under the terms of which Belgian troops could only intervene on the express request of the Congolese Government, which had never made any such request. That being so, they regarded the unsolicited Belgian action as an act of aggression. They also accused the Belgian Government of having fostered a colonialist conspiracy by carefully preparing the secession of Katanga with a view to maintaining a hold on the Congo.

On 13 July they sent a further telegram in which they stated that the purpose of the military assistance for which they had asked was not to restore the internal situation in the Congo but rather to protect Congolese territory; that the United Nations Force should consist of contingents from neutral countries; and that if military assistance was not received without delay the Republic of the Congo would be obliged to appeal to the Bandung Treaty Powers.

In a communication dated 11 July, they had urgently applied to the United Nations for technical assistance in the field of administration.

In a letter dated 13 July addressed to the President of the Security Council, the Secretary-General drew the attention of the Security Council, under Article 99 of the Charter, to a matter which, in his opinion, might threaten the maintenance of international peace and security and he asked for an urgent meeting of the Council to hear his report on the action to be taken by the United Nations in relation to the Republic of the Congo.

In his statement to the Security Council, which met on the evening of 13 July, the Secretary-General asked the Council to act with the utmost speed, since the presence in the Congo of Belgian troops, which the Belgian Government said were there to protect human life and to maintain law and order, could not be accepted as a satisfactory stopgap arrangement pending the restoration of order through a national security force. On the contrary, the presence of those troops was a source of internal, and potentially also of international, tension. The Secretary-General considered that the arrangement envisaged by the Government of the Congo, i.e. technical assistance of a military nature, was preferable to any other formula. He added that it would be understood that, were the United Nations to act as proposed, the Belgian Government would see its way to a withdrawal.

If the Council authorized military assistance for the Republic of the Congo, the action of the United Nations Force would be based on the principles that had been arrived at as a result of previous experience in this field. The United Nations Force would not be authorized to act beyond self-defence; it would not be allowed to take any action which would make it a party to internal conflicts; it would include units from African States, and the use of troops from any of the permanent members of the Council would be excluded.

The representatives of Poland and the Soviet Union requested that the Council should adjourn its proceedings until such time as the delegates from the Republic of the Congo could take part in the discussion on the same footing as those of Belgium.

The Secretary-General pointed out that in view of the urgency of the matter it would be advisable for the Council to decide forthwith to invite Belgium and the Republic of the Congo, at one and the same time, to take part in the debate; that would make it possible for the Congolese delegates to take part in the subsequent discussions.

The Council decided to invite the Government of Belgium and the Government of the Republic of the Congo to take part in the debate.

The representative of Tunisia submitted a draft resolution under which the Security Council would: (1) call upon the Government of Belgium to withdraw its troops from the territory of the Republic of the Congo; (2) decide to authorize the Secretary-General to take the necessary steps, in consultation with the Government of the Republic of the Congo, to provide the Government with such military assistance as might be necessary until, through the efforts of the Congolese Government with the technical assistance of the United Nations, the national security forces might be able, in the opinion of the Government, to meet fully their tasks; (3) request the Secretary-General to report to the Security Council as appropriate.

The representative of the Soviet Union submitted some amendments to the Tunisian draft resolution, whereby the Council would: (1) condemn the armed aggression by Belgium against the Republic of the Congo; (2) call upon the Government of Belgium to withdraw its troops immediately from the territory of the Republic of the Congo; (3) decide to authorize the Secretary-General to take the necessary steps, in consultation with the Government of the Republic of the Congo, to furnish that Government with military assistance, provided by the African States Members of the United Nations.

These amendments were put to the vote one by one and were rejected.

The Tunisian draft resolution was adopted by 8 votes to none, with 3 abstentions (China, France, United Kingdom).

The representatives of the United States and Italy stated that they had voted in favour of the draft resolution although they had had doubts about the wisdom of operative paragraph 1, which called upon the Government of Belgium to withdraw its troops. The Belgian Government had in fact expressed its willingness to withdraw its troops as soon as the United Nations forces had arrived. In view of the collapse of law and order, the United Nations must not, they said, contribute to the perpetuation of public disorder by insisting upon the withdrawal of the military units capable of assisting in the protection of life and property without the establishment of other methods to accomplish that task. The representatives of China and the United Kingdom explained that, while they approved of the draft resolution as a whole, they had abstained because of their reservations with regard to operative paragraph 1 in view of the statements made by the representative of Belgium. The representative of France had said that he would have to abstain when the vote was taken because he could not support operative paragraph 1 of the draft resolution, which might be interpreted as a condemnation of Belgium. He agreed, however, that the Secretary-General should be requested to provide the necessary technical assistance, as also assistance for the purpose of maintaining security.

The representatives of Poland and the Soviet Union said that they had voted in favour of the draft resolution primarily because of operative paragraph 1 and that in their opinion the principal purpose of the resolution was to ensure the immediate and unconditional withdrawal from the Congo of the Belgian troops.

2. Meetings of the Security Council held from 20 to 22 July 1960

In his first report, presented on 19 July 1960, on the implementation of the Security Council resolution of 14 July, the Secretary-General emphasized that the United Nations had intervened in the Congo on the basis of the explicit request of that country's Government because of the breakdown of the instruments of the Government responsible for maintaining order. The Force sent to the Congo was therefore to be regarded as a temporary security force, present in the Republic of the Congo with the consent of that country's Government until the national security forces were able to meet fully their tasks. The Force was necessarily under the exclusive command of the United Nations, vested in the Secretary-General under the control of the Security Council. The Force was not under the orders of the Congolese Government and could not be permitted to become a party to any internal conflict. It had also to have freedom of movement within its area of operations, which would be specified in an agreement with the Congolese Government.

The report went on to state that the United Nations operation must be separate and distinct from activities by any national authorities; the authority granted to the United Nations Force could not therefore be exercised either in competition with the representatives of the host Government or in co-operation with them in any joint operation. It followed from that rule that the United Nations units could not be used to enforce any specific political solution or to influence the political balance decisive to such a solution.

The military units of the Force would not be entitled to resort to armed force except in legitimate self-defence, including armed attack intended to make them withdraw from positions they occupied under orders from the Commander. Although based primarily on the principle of regional solidarity, the composition of the Force could not disregard the element of universality essential to any United Nations operation. The Organization reserved for itself the authority to decide on the composition of the Force, but in order to limit the scope of possible differences of opinion it would observe two principles: it would not include units from any of the permanent members of the Security Council nor from any country which, because of its geographical position or for other reasons, might be considered as possibly having a special interest in the situation which had called for the operation. Furthermore, in deciding the composition, the Organization should take fully into account the view of the host Government. Any dispute over the matter would have to be resolved on a political rather than on a legal basis.

On the subject of Belgian troops, the Secretary-General stated that they had begun to evacuate Leopoldville and that, according to a letter from the Belgian Ambassador to the Congo, Belgian military interventions would be limited to what was called for by the security needs of Belgian nationals, but they would in every case immediately refer the matter to the Commander of the Force.

The Secretary-General then said that Mr. Ralph Bunche, his Special Representative in the Congo, had informed him that, in the course of a meeting he had had with the Belgian Ambassador in Leopoldville, it had been decided, following the assurance by the Special Representative that United Nations forces would arrive during the week following 19 July in sufficient numbers to ensure order and protect the entire population, both European and African, to begin the withdrawal of Belgian forces from the Leopoldville area and to complete it by 23 July.

The Security Council met on 20 July to consider the Secretary-General's first report. At their request, the representatives of Belgium and the Republic of the Congo were invited to take part in the debate.

In his statement the Secretary-General described how the situation had developed, particularly with regard to the organization and deployment of the United Nations Force. He also reported on the Organization's civilian activities in supplying foodstuffs and fuel and in dealing with public health problems.

The Secretary-General said that the resolution adopted by the Council on 14 July clearly applied to the whole of the territory of the Republic as it existed when the Security Council had recommended the Congo for admission as a Member of the United Nations, and that he had communicated that interpretation to Mr. Tshombe in particular. It followed that the Force's area of occupations extended to the entire Republic of the Congo as an entity. With regard to the withdrawal of Belgian troops, the representatives of the Secretary-General in the Congo had taken what action they considered appropriate, although the Council had not authorized or requested the Secretary-General to take specific steps for the implementation of withdrawal. The Council might consider it useful to clarify the Secretary-General's mandate on that point.

Referring to the USSR's demand for the withdrawal of the few American technicians then in Leopoldville, the United States representative pointed out that the technicians had gone there on a brief assignment at the specific request of the United Nations to provide transport, communications and food. They were not troops in any sense of the word. He also pointed out in that connexion that, despite an official request from the Government of the Congo some days earlier for United States troops, the United States had insisted that all its assistance should be sent through the United Nations. He said that no troops should be introduced into the Congo other than those requested by the Secretary-General pursuant to the Security Council's resolution of 14 July and that the United States could be counted on to do whatever might be necessary in co-operation with other United Nations Members to prevent the intrusion of any military forces not requested by the United Nations.

The representative of the USSR informed the Council of the contents of the letter sent on 14 July to the Chairman of the Council of Ministers of the USSR by the President of the Republic of the Congo and Mr. Lumumba, the Prime Minister and Minister of National Defence. The authors of the letter had indicated that they might be forced to request the Soviet Union's intervention if the Western camp did not stop its aggression against the Congo.

In his reply to that letter, Mr. Khrushchev had said that the Soviet Union had expressed itself in favour of the United Nations taking measures to stop the aggression and would not hesitate to extend to the Congo such help as might be necessary to ensure the triumph of its just cause if the States committing imperialist aggression against the Congo and those spurring them on to such action continued their criminal activity. The USSR representative submitted a draft resolution insisting on the withdrawal within three days of "all troops of the aggressor" and calling on all Members to respect the Congo's territorial integrity.

On the same day, the representatives of Ceylon and Tunisia submitted a draft resolution in which the Security Council, recognizing that it had recommended the admission of the Republic of the Congo to membership in the United Nations as a unit: (1) would call upon the Government of Belgium to implement speedily the Security Council resolution of 14 July 1960 on the withdrawal of its troops and would authorize the Secretary-General to take all necessary action to that effect; (2) would request all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Congo of its authority and also to refrain from any action which might undermine the territorial integrity and the political independence of the Republic of the Congo; (3) would commend the Secretary-General for the prompt action he had taken to carry out the resolution of the Security Council, and for his first report; (4) would invite the specialized agencies of the United Nations to render to the Secretary-General such assistance as he might require; and (5) would request the Secretary-General to report further to the Security Council as appropriate.

At the request of the sponsors of the draft resolution and as there was no objection from the Soviet representative, the Council decided to give priority to the draft submitted by Ceylon and Tunisia. The resolution was adopted unanimously in the early hours of 22 July. The representative of the Soviet Union then said that he would not press for a vote on the draft resolution he had submitted on 21 July. After the vote, the representative of France said he had voted for the resolution because the Secretary-General's action deserved the widest possible support and because the resolution could not be interpreted as implying the slightest criticism of the Belgian Government. In that connexion, he noted that one of the sponsors of the draft resolution had established a very necessary relation between the withdrawal of Belgian troops and personal safety. The representative of the Soviet Union said he had voted in favour of the resolution even though he did not think it went far enough with regard to time-limits for the withdrawal of Belgian troops. In his view, the debate had shown that the Secretary-General must take all necessary steps to ensure the withdrawal of the Belgian troops within a few days. He also observed that it would be prudent not to regard the resolutions of 14 and 22 July otherwise than as decisions adopted under exceptional circumstances and that they should not therefore be considered as precedents for the future. He said he had been unable to subscribe to certain aspects of the interpretation given by the Secretary-General to the Security Council resolution of 14 July. In the opinion of the USSR representative, the fundamental purpose of the resolution was a demand for the withdrawal of the Belgian forces; the United Nations Force must also be entrusted with the task of safeguarding the territorial integrity of the Republic of the Congo. Neither the resolution of 14 July nor the measures for its implementation endowed the United Nations with the right to interfere in the domestic affairs of States and to assume responsibility for a country's domestic laws and regulations. He believed that the settlement of all issues concerning the Congo fell within the exclusive province of the Central Government of the Republic of the Congo which alone would restore law and order in that country. The representative of the Republic of the Congo said that, according to his interpretation of paragraph 2 of the resolution, all States must refrain from any action which might tend to impede the exercise by the Government of the Congo of its authority in restoring law and order.

3. Meetings of the Security Council held on 8 and 9 August 1960

On 29 July the Secretary-General circulated the text, duly initialled, of the basic agreement between the Republic of the Congo and the United Nations. In that agreement the Government of the Republic of the Congo stated, *inter alia,* that it would be guided in good faith by the fact that it had requested military assistance from the United Nations and by its acceptance of the resolutions of the Security Council of 14 and 22 July. It likewise stated that it would ensure the freedom of movement of the Force in the interior of the country and would explore jointly with the United Nations specific aspects of the functioning of the Force in the Congo, notably with respect to its deployment, the question of its lines of communication and supply, its lodging and its provisioning; the Congolese Government confirmed its intention to facilitate the functioning of the Force in the Congo. The United Nations for its part stated that it would be guided in good faith by the task assigned to the Force in the aforementioned resolutions and reaffirmed that it was prepared to maintain the Force in the Congo until the Congolese Government deemed the latter's task to have been fully accomplished.

In a letter dated 31 July 1960, the Prime Minister of the Republic of the Congo expressed the serious concern caused his Government by the fact that not a single Belgian soldier had left Congolese soil although United Nations troops had been arriving in the Congo since 16 July. Furthermore, he stated that the United Nations Force was disarming Congolese soldiers but not Belgian soldiers. He added that no contingent of United Nations troops had so far entered Katanga because that was opposed by the Belgian Government solely in order to strengthen the secession movement it had instigated, in contravention of the Council's resolutions.

On 1 August the representative of Ghana, in a note to the President of the Council, expressed his Government's apprehensions with regard to the conduct of the Belgian Government, which, on the basis of newspaper reports, he accused of making unprovoked attacks on Congolese civilians with the object of creating a situation which would justify Belgian intervention.

On 2 August the representative of the Soviet Union transmitted a statement by his Government affirming that it would not hesitate to take resolute measures to rebuff Belgian aggression against the Congo if it continued.

On 3 August the Vice-Prime Minister of the Republic of the Congo informed the Secretary-General that the *Conseil du Cabinet* had decided to attach to Mr. Bunche's party, for his journey to Katanga, three members of the Government escorted by twenty Ghanaian soldiers. The Secretary-General replied that the arrangements for Mr. Bunche's journey had already been made and, furthermore, that the composition of a United Nations mission is determined by the Secretary-General alone. On 4 August the *Conseil des Ministres* of the Republic of the Congo decided to postpone sending any members of the Government to Katanga.

On 5 August the Congolese Prime Minister sent a telegram to the Secretary-General reiterating his demand for the dispatch of United Nations troops to Katanga without delay and stating that he would be compelled to review his position if the troops in question did not enter Katanga on Saturday, 6 August. Moreover, he proposed that the Security Council should decide to dispatch to the Congo within twenty-four hours a group of observers composed of representatives of Asian and African countries to ensure the strict application of the Council's decisions.

In a telegram dated 6 August, the President of the Republic of Guinea informed the Secretary-General that unless Guinean troops were used in Katanga immediately, his Government would place them under the direct authority of the Congolese Government.

The Secretary-General replied that the question of the entry of United Nations troops into Katanga was to be considered the following day by the Security Council.

On the same date the USSR Government complained that the decisions of the Security Council of 14 and 22 July regarding the withdrawal of the Belgian forces and measures of effective assistance to the Congolese Government in the safeguarding of the Republic's territorial inviolability and integrity were not being carried out. The USSR Government stated that the United Nations Command was using the Force to disarm the Congolese national forces. Moreover, the European contingent was being reinforced by the inclusion of troops from some of the NATO countries. The USSR Government therefore proposed: (1) that all Belgian troops should be removed from Congolese territory within the shortest possible time, by recourse to whatever method of action proved necessary; (2) that if the present Command of the United Nations Force continued to disregard the decisions of the Security Council it should be replaced by a new Command; (3) that action should be taken without delay to put an end to the occupation of Katanga and that those persons in Katanga who were committing acts directed against the freedom, independence and territorial integrity of the Republic of the Congo should be arrested and handed over to the Congolese Government; (4) that should the troops of any country belonging to the Force prove unable, for any reason, to ensure the effective expulsion of the interventionist troops from the territory, troops from States which would be prepared to take part in carrying out that action should be sent to the Republic of the Congo.

On 6 August the representative of Ghana informed the Secretary-General that the President of his country had announced that Ghana would lend such armed assistance as the Republic of the Congo might request if no United Nations solution was forthcoming within a short time to the problem of the establishment in the centre of Africa of a puppet State maintained by Belgian troops.

In a note dated 6 August the Belgian Government stated that the allegations made by the USSR on 31 July were untrue and that no United Nations body had endorsed the accusation that Belgium had been guilty of aggression. Belgian intervention, which had been exceptional and temporary, had been for the exclusive purpose of ensuring the safety of Belgian nationals, who had been placed in grave danger owing to the failure of the Congolese State to provide protection for private individuals. That intervention, which pursued no political aim, would come to an end wherever the United Nations forces were capable of assuming responsibility for the safety of individuals. The Belgian note added that the link between the withdrawal of the Belgian forces and the re-establishment of public safety was clearly evident from the debate in the Security Council and in particular from the statement made by the representative of Ceylon, who was one of the sponsors of the draft resolution adopted on 22 July.

In his second report circulated on 6 August, on the implementation of the Security Council resolutions, the Secretary-General dealt with the difficulties and problems created by the opposition of the Katanga authorities to the entry of the Force into their territory. He said that he had made it clear to both the Government of the Republic of the Congo and the provincial government of Katanga that the Council resolutions concerning the withdrawal of Belgian troops and the dispatch of United Nations military units had obviously been intended to apply to the whole territory of the Congo, including Katanga. He stressed the principles underlying the activities of the Force in the Congo, including that of strict neutrality regarding all essentially internal conflicts. The United Nations Force consisted of over 11,000 men, who were deployed throughout the Congo with the exception of Katanga. All Belgian troops had been withdrawn from all regions where there were United Nations troops.

In a statement made before the Security Council on 8 August, the Secretary-General said that he held it necessary and in accordance with the intentions of the Council that everywhere in the Congo the withdrawal of Belgian troops should be immediately followed, or even preceded, by the entry of United Nations troops, shouldering the responsibility for the maintenance of security and order. In Katanga, however, that principle had led to the development of a vicious circle which must be broken: the withdrawal of the Belgian troops was rendered impossible because they were supposed to assume responsibility for the maintenance of order until they were replaced by United Nations troops, but, on the other hand, the entry of United Nations troops into Katanga was obstructed.

In anticipation of the entry of the Force into Katanga, the Secretary-General had sent Mr. Bunche, his Special Representative, to Elisabethville. By the time he returned to Leopoldville, on 5 August, the latter had come to the conclusion, on the basis of his interviews with the Katanga authorities and his personal observations, that the Katanga authorities would use force to oppose the entry of United Nations troops into their territory. That being so, the Secretary-General considered that the aims of the Council resolutions could not be achieved if the United Nations Force were used in accordance with his previous instructions which did not authorize it to take any military initiative. Consequently, if the Council wished to maintain its objectives it must either change the character of the Force, which appeared to be impossible both for constitutional reasons and in view of the commitments to the contributing Governments, or resort to other measures which would enable the implementation of the resolution to be carried through without going beyond the instructions given to the Force by the Secretary-General.

The Secretary-General said that he had been assured that the Belgian Government acquiesced in his interpretation of the Council's resolutions and that it would not therefore oppose the implementation of those resolutions in accordance with his interpretation.

The problem before the Council arose from the apprehensions of those who were resisting the entry of the United Nations Force into Katanga that United Nations participation in security control in Katanga would submit the province, against its wishes, to the immediate control and authority of the Central Government.

The entry of the United Nations Force into Katanga would not mean any taking of sides in the internal conflict relating to the unitary or federal structure of the Congo. The Secretary-General therefore suggested that the Council should clarify its views on the matter and lay down such rules as would serve to separate effectively the question of a peaceful and democratic development in the constitutional field from any questions relating to the presence of the United Nations Force in Katanga.

The Security Council met on 8 August to examine the Secretary-General's second report. The President informed the Council that he had received a cable from Mr. Tshombe, President of the provincial government of Katanga, asking to be heard by the Council. The Secretary-General submitted his second report and drew attention to the chief factors which had prevented the implementation of the Council's decision with regard to Katanga: i.e., an unexpected element of organized military opposition by the forces of Katanga to the entry of the United Nations Force; the attitude of the Belgian Government, which was one of "submission" or, in other words, the absence of active resistance to the Council resolution; the growing impatience of the Central Government, which was showing a tendency to sow distrust with regard to the activities of the United Nations; finally the threat that some of the contributing Governments might withdraw their contingents and pursue a unilateral policy. Nevertheless, the Secretary-General declared his conviction that the United Nations effort should be pursued until the Congolese people achieved a solution which preserved their unity and protected their democratic rights and until the Belgian troops, whose presence was at that time the main cause of continued danger, had been completely and unconditionally withdrawn. The Secretary-General stated that a solution of the Congo problem was a question of peace or war far beyond the limits of the Congo. In that connexion he recalled the obligations undertaken by Member States under Articles 25 and 49 of the Charter, which bound them to give active support to measures decided upon by the Council. He also pointed out that the Council could adopt provisional measures under Article 40 and measures not involving the use of armed force in accordance with Article 41. He had considered it necessary to refer to those Articles of the Charter because the resolutions of 14 and 22 July, though not explicitly adopted under Chapter VII, had been adopted on the basis of an initiative under Article 99 and in a context implying a problem of war or peace.

The Secretary-General considered that the Council might wish to clarify its views on the methods to be used and on the time-limits to be laid down and to state explicitly what so far had been only implied, i.e. that its resolutions applied fully and in all parts to Katanga. Lastly, he felt that the Council should request the immediate and active support of all Member Governments, formulate principles for the United Nations presence which would safeguard democratic rights and protect the spokesmen of different political views.

He appealed to the realism of the Europeans working in Katanga and affirmed that the United Nations was their only valid support and that there was no question of its "taking over" the region and putting others in their place.

On 8 August the representatives of Ceylon and Tunisia submitted a draft resolution under which the Security Council would: (1) confirm the authority given to the Secretary-General by the Security Council resolutions of 14 and 22 July and request him to continue to carry out the responsibility placed on him thereby; (2) call upon the Government of Belgium to withdraw immediately its troops from the province of Katanga under speedy modalities determined by the Secretary-General and to assist in every possible way the implementation of the Council's resolutions; (3) declare that the entry of the United Nations Force into the province of Katanga was necessary for the full implementation of the resolution; (4) reaffirm that the United Nations Force in the Congo would not be a party to or in any way intervene in or be used to influence the outcome of any internal conflict, constitutional or otherwise; (5) call upon all Member States, in accordance with Articles 25 and 49 of the Charter of the United Nations, to accept and carry out the decisions of the Security Council and to afford mutual assistance in carrying out measures decided upon by the Council; (6) request the Secretary-General to implement the resolution and to report further to the Council as appropriate.

The representative of the Soviet Union submitted another draft resolution, under which the Security Council would: (1) note that the Belgian Government was violating the decisions of the Security Council calling for the speedy withdrawal of Belgian troops from the territory of the Congo and the maintenance of the territorial integrity and political independence of the Republic of the Congo; (2) impose on the Secretary-General the obligation to take decisive measures, without hesitating to use every means to that end, to remove the Belgian troops from the territory of the Congo and to put an end to acts directed against the territorial integrity of the Republic of the Congo; (3) instruct the Secretary-General to report within a period of three days on the measures taken to implement the resolution.

The majority of the members of the Council expressed satisfaction at the withdrawal of Belgian troops from five of the six provinces of the Congo. They signified their agreement with the Secretary-General's interpretation of the mandate of the Force and reiterated their anxiety concerning the threats of unilateral intervention made by certain Powers. They considered that such interventions or a failure of the United Nations in the Congo would have disastrous consequences.

The Secretary-General stated that the order to stop the entry of the United Nations forces into Katanga had been given by himself and not by the Command. He would have been acting beyond his competence if he had given the United Nations Force an order which would have obliged it to take a military initiative. No objections had been raised in the Council when he had set forth the reasons why the Force should not take any military initiative and should be regarded in that respect as limited to action in self-defence.

With regard to the accusation that the United Nations Force had disarmed Congolese national military units, the Secretary-General referred to the explicit statement of the representative of the Republic of the Congo that it had been the Congolese Command which, in agreement with the Government, had called upon Congolese soldiers to lay down their arms wherever United Nations forces were present.

Lastly, in reply to the assertion that the Force should assist the Central Government, he said that that assistance was confined to the maintenance of order but that the United Nations Force could not be used as a political instrument.

With regard to the "speedy modalities" to be determined by the Secretary-General to secure the withdrawal of the Belgian troops from Katanga, he explained that he had interpreted that paragraph of the operative part of the resolution as imposing upon him the obligation so to implement the request for immediate withdrawal addressed to the Government of Belgium as to provide for an orderly development within the limits of the possible, of course with due regard for the overriding needs of the situation and of the concern expressed by the Council that there should be effective and continued maintenance of law and order.

The representative of the Republic of the Congo asked the Council to accept the position taken by the Secretary-General as the only one that would enable the Congo to break the deadlock.

The representative of Belgium repeated that the 1,700 Belgian troops in Katanga would offer no resistance to the United Nations Force and would be withdrawn as soon as the Secretary-General was in a position to guarantee the security of Belgian nationals in the region.

The draft resolution submitted by Ceylon and Tunisia was adopted by 9 votes to none, with 2 abstentions (France and Italy).

The representative of the Soviet Union did not press for his draft resolution to be put to the vote.

The representatives of France and Italy stated that they had abstained, despite their general agreement with the text of the resolution, because it included no provision which clearly indicated the link that there should be between the withdrawal of the Belgian troops and the ability of the United Nations Force to ensure law and order. The United Kingdom representative stated that he had voted in favour of the resolution because the statements made by the representative of Ceylon and by the Secretary-General had made it clear that the resolution would be implemented in such a way that the effective and continuous maintenance of law and order would be assured in Katanga. The representatives of Poland and the Soviet Union said that they had voted in favour of the resolution because it provided for the immediate and unconditional withdrawal of Belgian troops from the entire territory of the Republic of the Congo and that it placed the Secretary-General under an obligation to take decisive measures to ensure the removal of the Belgian troops and to prevent any action directed against the territorial integrity of the Congo. The representative of Poland stressed that the resolution did not preclude the possibility of bilateral relations between the Government of the Congo and any other country, since the Congo was not a Trust Territory or a dependent Territory.

4. Meetings of the Security Council held on 21 and 22 August 1960

At the request of the Secretary-General, the Security Council met on 21 and 22 August in order to give him its views on the measures of implementation adopted in the Congo, since serious differences of opinion had arisen between the Congolese Prime Minister and the Secretary-General with regard to the interpretation of the Council's decisions. The main points at issue were the manner in which the United Nations Force had entered Katanga and the relationship that should exist between that Force and the way in which it was employed, on the one hand, and the Congolese Government and its political objectives, on the other.

On 9 August the Secretary-General informed the Congolese Prime Minister of the resolution adopted that day by the Council and drew his attention to the fact that it was mandatory, in particular where, on the basis of Article 49 of the Charter, it requested the co-operation of all Member States in the achievement of the objectives laid down in that Article.

On 10 August, the Prime Minister of the Congo assured the Secretary-General of the complete co-operation of his Government in the application of the measures decided upon by the Council.

At the same time, the Secretary-General telegraphed to the President of the provincial government of Katanga saying that he awaited the latter's assurance that he would accept the obligations arising out of the resolution of 9 August. The Secretary-General informed him that he proposed to discuss personally with him the modalities of the deployment of the United Nations troops in Katanga but that there could be no question of conditions or of an agreement on that matter, since such arrangements would be contrary to the constitutional rules which determined the relations between him and Mr. Tshombe. He told the latter that he would arrive on 12 August with several military and civilian advisers and two companies of the Swedish battalion under his personal authority. President Tshombe gave an assurance that the Secretary-General and his party would be received in an orderly manner and with the highest courtesy.

On 11 August the Government of Ghana informed the Secretary-General that it was inadmissible that the provincial government of Katanga should lay down conditions for the entry of the United Nations Force into its territory. If for any reason the United Nations was unable to carry out the instructions of the Council, Ghana, in agreement with the Government of the Congo and, if necessary, in concert with other African States, would be justified in taking independent action.

On 12 August the Secretary-General arranged for a memorandum to be delivered to the Central Government of the Congo and the provincial government of Katanga in which he informed them of his interpretation of operative paragraph 4 of the resolution of 9 August concerning the duty of the United Nations Force not to intervene in any conflicts, constitutional or otherwise, in the Congo. The Secretary-General based his interpretation on the attitude adopted by the Security Council in the cases of Lebanon and Hungary, in which various elements, some external and others internal, had also been mixed. The Secretary-General stressed the fact that the resolution of 9 August had put the main emphasis on the withdrawal of Belgian troops from Congolese territory as a whole, including Katanga. What those precedents meant was that any conflict between the Government of the Republic of the Congo and the provincial government of Katanga should be regarded as a matter to which the United Nations could not be a party and on the outcome of which it could exert no influence provided that no external element—such as, for example, the Belgian troops in Katanga—interfered or was in any way made use of to influence the outcome of that conflict; in other words, provided that the troops which were in the course of withdrawal remained completely inactive during that operation.

The United Nations had to observe that, *de facto*, the provincial government was in active opposition—once a Belgian assurance of non-intervention and withdrawal had been given—using only its own military means in order to achieve certain political aims. The United Nations Force could not be used on behalf of the Central Government to subdue or force the provincial government to a specific line of action; nor was it entitled to forbid either Congolese party to take action, by its own means, in accordance with the purposes and principles of the Charter, in relation to the other. Moreover, United Nations facilities, including its ability to afford protection to representatives of the Central Government, could not be used under the authority of the Central Government and against the wishes of the provincial government, since the Force had no duty beyond its general obligation to maintain law and order. The Secretary-General added that that finding was not subject to agreement or negotiation. It represented a unilateral declaration of interpretation which could if necessary be contested before the Security Council.

That interpretation was contested by the Prime Minister of the Congo in his letter of 14 August. According to him, the Council's resolutions clearly indicated that the United Nations was not to act as a neutral organization and was to place all its resources at the disposal of the Central Government, that the United Nations Force could therefore be used to subdue the rebel government of Katanga, that the Central Government could call upon the United Nations services to transport civilian and military representatives in opposition to the provincial government and that the United Nations Force had the duty to protect them in Katanga. The Congolese Prime Minister's view was that paragraph 4 of the resolution of 9 August could not be interpreted as nullifying the obligation of the United

Nations to provide the Central Government "with such military assistance as may be necessary"; on the contrary, it made it clear that that obligation also covered Katanga.

The Secretary-General, after consultation in New York with Mr. Gizenga, the Vice-Prime Minister, proceeded to Katanga on 14 August. When passing through Leopoldville on his return journey, he vainly endeavoured to make a personal report to the Government of the Republic of the Congo on the action taken up to then in implementation of the Security Council's resolutions. The circumstances of the Secretary-General's journey to Katanga were discussed in an exchange of letters between him and the Prime Minister of the Congo. The latter protested against the fact that, contrary to the resolution of 14 July, the Secretary-General had not consulted the Central Government before dealing with local authorities such as the provincial government of Katanga. The Prime Minister went on to say that by so doing the Secretary-General had made himself a party to the conflict between the rebel government of Katanga and the Central Government. After accusing the Secretary-General of connivance with the Katanga and Belgian authorities, the Prime Minister stated that his Government had lost confidence in the Secretary-General and that it was requesting the Security Council to send to the Congo a group of neutral observers representing certain Asian and African countries, whose task it would be to ensure the immediate and entire application of the Council's resolutions.

The Secretary-General stated in his reply to the Prime Minister that he did not wish to discuss by letter the unfounded and unjustified allegations against him and that he would submit to the Security Council his comments on the actions he had taken and his interpretation of the Council's decisions. He hoped that the Prime Minister would also see fit to present his case to the Council in person.

Shortly after the exchange of correspondence with regard to the interpretation to be given to the resolution of 9 August, two serious incidents took place on 17 and 18 August. The first of these incidents involved two United Nations security officers who had gone to the Prime Minister's residence to deliver a letter and had been disarmed and robbed by the Congolese *gendarmes* on guard, who had pointed their guns at them. The second involved a group of fourteen Canadian members of the United Nations Force, who had been arrested, disarmed, searched and manhandled by Congolese military units at Ndjili airport, Leopoldville. These two incidents were the subject of a formal protest addressed by the Secretary-General to the Government of the Republic of the Congo.

Subsequently, the Congolese Chief of Staff requested the Special Representative of the Secretary-General to offer the apologies of the Congolese National Army to the Canadian Government and officers for the incident at Ndjili airport.

On 18 and 20 August, the Secretary-General brought to the attention of the Security Council the information which he had received concerning the withdrawal of Belgian troops from Katanga and summarized the strength of the Force and the manner in which it had been deployed in the Congo.

The main ideas governing the United Nations civilian operation in the Congo were set out by the Secretary-General in a memorandum to the Security Council.

He said that, in the special situation in which the Congo found itself, the United Nations must go beyond the time-honoured forms for technical assistance, but without infringing the sovereignty of the country or hampering the speedy development of the national administration. The formula, already approved by the Congolese Government, would include both technical assistance proper and assistance on a level of higher administrative responsibility. The experts belonging to the latter group would have a new status and would constitute a "Consultative Group" which would be directly under the orders of the Chief of the Civilian Operation. They would act as his consultants but, at the call of the Congolese Government, they would be available to give advice on various problems and to provide that Government with such studies as it might request for the planning of its activities and its decisions.

In another memorandum, the Secretary-General pointed out that the new status of those experts whose activities were to be on a level of high administrative responsibility would in fact be weaker in relation to the national administration than that of personnel dealing with Technical assistance proper; they would be consultants to the Chief of the Civilian Operation and would continue to be members of the Secretariat and thus be subject to Article 101 of the Charter, although they could be called in by the Congolese Government and be used by it in an advisory capacity; that did not mean that they would get any responsibility or executive authority in relation to any activities within the Congolese administration.

The Government of the Soviet Union declared the Secretary-General's plans for the civilian operation in the Congo to be entirely unacceptable: in its view, the setting up of a Consultative Group with broad powers and without responsibility to the Congolese Government would be tantamount to limiting the sovereignty of the Republic of the Congo and placing that country in the position of a Trust Territory. The plan was not in accordance with the Security Council resolutions, which had provided only for the rendering of technical assistance of the usual kind.

On 20 August the Prime Minister of the Congo complained that the Special Representative of the Secretary-General had rejected his request that the United Nations should place an aircraft and a military detachment at his disposal to enable representatives of the Central Government to proceed to Elisabethville on 21 August. According to the Prime Minister, such a refusal of military assistance was contrary to the resolution of 14 July and constituted tacit recognition of the secession of the province of Katanga. He also stated that the incidents which had occurred between the Congolese Government and the Secretary-General were the result of the latter's refusal to consult that Government. Accordingly, the Government of the Congo requested the Security Council to recommend to the Secretary-General that he should make contact and conduct negotiations exclusively with the only legal Government of the Congo; urged that all United Nations action in the Congo should take place in exclusive, continuous and permanent collaboration with that Government; confirmed that the policing of airports and seaports should be done by the national forces of the Republic; urged that aircraft should be placed at its disposal for the transport of Congolese troops to any place where their presence was deemed to be necessary; asked that the weapons and ammunition given by the Belgians to the supporters of Tshombe should be seized; and urged the total withdrawal of all Belgian troops from the Congo.

In its written statement of 20 August, the Government of the Soviet Union maintained, among other things, that plans were being hatched for the establishment in Katanga of a "foreign legion" made up of soldiers from the NATO countries, including Belgium. It complained that some United Nations officials were openly acting against the Security Council's decisions and that the Secretary-General had not wished during his stay in the Congo to consult the lawful Government of the Congo although he had entered into negotiations with Tshombe.

In his statement in the Security Council on 21 August, the Secretary-General said that, at the moment when the United Nations Force was deployed throughout the territory of the Congo, thus confirming the principle of the unity of that country, and at the moment when the Belgian forces were withdrawing from the Kamina base, the actions and attitudes of the United Nations and in particular those of its Secretary-General had come under severe criticism, notably from the Prime Minister of the Congo. Simultaneously, a series of outrages had been perpetrated against United Nations officials and had given the impression of hostility fomented for political ends.

In order to carry out his mandate, he had been forced to act with great firmness in relation to the parties concerned, including the Central Government itself. Nor had he forgotten that, to the extent that the difficulties experienced by the Republic of the Congo were not of a nature to endanger international peace, they did not concern the United Nations. No doubt that attitude had disappointed the Government of the Congo, which had not understood the limits placed by that principle on the functions of the United Nations in the Congo.

With regard to contacts between the United Nations and Mr. Tshombe, the Secretary-General said that, during his first visit to Leopoldville, they had been the subject of prior discussion with the Council of Ministers of the Central Government, presided over by Mr. Gizenga. The principle having been accepted, the question had merely become one of form and presentation. After the failure of Mr. Bunche's attempt and the subsequent discussions in the Security Council, he had come to the conclusion that it was necessary for him to achieve a speedy withdrawal of Belgian troops by staging a break-through, in other words by opening the way for the United Nations Force with token units which would accompany him personally. To that end, the Secretary-General had got into touch with Mr. Tshombe on 10 August and had immediately briefed the Congolese delegation in New York about his plan, the approach and its necessary time-table. No objection had been raised by that delegation. Similarly, he had later tried to get into touch with the Central Government in order to make a report to it, but in vain. His plan had succeeded and the Council resolution had been fully implemented, since the speediest possible withdrawal of Belgian troops had been effected while order and security had been maintained by United Nations troops. If that operation had nevertheless been criticized, the criticisms must have been actuated, not by the aims pursued by the Council—which had been achieved—but by other objectives.

With regard to the withdrawal of the Belgian troops, the Secretary-General said that it was continuing at a pace determined solely by the availability of air transport and that he had received an assurance from the Belgian Government that it would be completed within eight days. The United Nations had occupied the military bases in the Congo temporarily, with the sole purpose of giving assistance to the country. It was a provisional measure, without prejudice to the rights or claims of the respective Governments, which were reserved for later negotiation.

In the circumstances, the chapter of the Congo story which described the situation as one constituting a threat to international peace and security was close to the end.

The Secretary-General stated that, if the Council saw no objection, it was his intention to invite the representatives of those countries participating in the United Nations Force to serve as members of an Advisory Committee on the Congo to advise him personally.

On the subject of the interpretation he had given to the Security Council resolutions, the functions of the Force and his own mandate, the Secretary-General stressed the fact that there was nothing in those resolutions to indicate that the military assistance which the United Nations had undertaken to provide to the Government of the Congo was intended to be used to subdue the revolt in the province of Katanga. On the contrary, the Council had explicitly provided that the Force could not be used in any way that would make it a party to internal conflict. Moreover, it had to be assumed that the Council would not authorize the Secretary-General to intervene with armed troops in an internal conflict, since that organ had not specifically adopted enforcement measures under Articles 41 and 42 of the Charter. The Council had not dissented from the principle of non-intervention which he had asserted. Indeed, in reaffirming in paragraph 4 of its resolution of 9 August that that was the line to be followed, the Council had expressly stated what had already been understood in the earlier resolutions; paragraph 4 was decisive in interpreting the expression "such military assistance as may be necessary" appearing in the resolution of 14 July.

There had been nothing in the debate on the resolution of 9 August which had gone beyond the two purposes of the United Nations military operation as recognized, namely, the maintenance of order and security by the United Nations troops combined with the withdrawal of Belgian troops, the former being the means to the latter as a main political end.

Nothing in the statements by the Secretary-General or by the representatives sponsoring or supporting the resolution could be taken as implying that United Nations troops would be introduced into Katanga in order to impose the authority of the Central Government on the rebellious provincial leaders. On the contrary, the debate had made it quite clear that those troops could not and should not force their way into Katanga but should arrive there on a basis of acceptance by the Katanga authorities of the Security Council's decisions. Once the Belgian troops had withdrawn from Katanga, the conflict between the Central Government and the provincial authorities was an internal matter, constitutional or otherwise, the outcome of which could not be influenced by the United Nations Force.

The Secretary-General observed that any member of the Council which was at variance with his interpretation could give expression in a draft resolution to what it considered to be the right interpretation.

During the debate, the members of the Security Council expressed their support for the principle of territorial integrity of the Congo. The majority of them expressed their satisfaction at the progress achieved in connexion with the withdrawal of the Belgian troops and at the efforts made by the Secretary-General to implement the Council's decisions. They indicated their complete agreement with his interpretation of the resolution of 9 August.

Several members regretted the form in which the attacks against the Secretary-General had been made by the Prime Minister of the Congo.

The representatives of the Soviet Union and Poland, on the other hand, questioned the Secretary-General's interpretation, which in their view had no legal significance unless approved by the Council.

They also stated that the withdrawal of the Belgian troops had not been completed, that the separatist movement in Katanga was being instigated from abroad and could not be regarded as an internal matter, and that the Secretary-General ought not to have entered into contact with anyone except the Central Government.

The Soviet Union representative introduced a draft resolution calling for the establishment of a group of representatives of countries participating in the Force which would act in conjunction with the Secretary-General and would ensure on the spot the execution of the decisions of the Security Council through daily consultation with the Central Government.

At the end of the debate, the Soviet Union representative stated that he would not press for a vote on his draft resolution since discussions had shown that the majority of the members of the Council were not prepared to support it.

The President said that he was convinced that the Secretary-General, who had asked for the meeting of the Council to be convened so that he might obtain clarification, had found it in the debate which had just taken place and would thereby be assisted in the pursuit of his mission.

5. Meetings of the Security Council held from 10 to 17 September 1960

On 23 August the Secretary-General invited the Permanent Representatives of the States which had provided contingents for the United Nations Force in the Congo, namely Canada, Ethiopia, Ghana, Guinea, India, Indonesia, Ireland, Liberia, Mali, Morocco, Pakistan, Sudan, Sweden, Tunisia and the United Arab Republic, to form, under his chairmanship, an Advisory Committee which would be called upon to give advice on the operation of ONUC. On 30 August he submitted his third report to the Council, concerning the presence of Belgian troops in the Congo after 29 August, the time-limit for their withdrawal. He asked for information on the subject and made a formal protest.

With regard to the bases at Kamina and Kitona, the Secretary-General explained that upon the withdrawal of the Belgian combat troops from those two bases the United Nations had taken over full responsibility for the administration of the bases, without prejudice to the rights and claims of the parties concerned; this temporary administration by the United Nations was a provisional measure in the sense of Article 40 of the Charter. A certain number of Belgian technicians were to remain at the disposal of the United Nations, in a civilian capacity, as technical assistance for the maintenance of the bases, until such time as they were replaced by other experienced staff.

In a communication dated 31 August the Belgian Government explained that the delay in the withdrawal of some of its contingents had been due to lack of transport.

In a *note verbale*, dated 5 September, to the delegation of the Soviet Union, the Secretary-General stated that a certain number of planes, type IL-14, had been put directly at the disposal of the Government of the Republic of the Congo by the Government of the USSR, presumably with crews, technicians, ground personnel, etc. Ten of those planes, coming from Stanleyville, had arrived at Luluabourg on 5 September carrying Congolese troops to reinforce the Congolese force in the Bakwanga area in Kasai. The Secretary-General wished to be informed about the nationality and status of the crews. He also asked for information about the delivery of 100 Soviet trucks GAZ-63 which the USSR Government had told him, on 22 July, that it was providing for the armed forces directed to the Congo in accordance with the decision of the Security Council.

In a *note verbale* of 10 September the USSR delegation declared that Soviet assistance to the Congolese Government in the form of civil aircraft and motor vehicles was in no way at variance with the provisions of the resolutions of 14 and 22 July 1960, since those resolutions did not in any way restrict the right of the Congolese Government to request or to receive bilateral assistance directly.

On the evening of 5 September, a grave constitutional crisis occurred in the Congo. In a statement broadcast on the national radio the Chief of State proclaimed that the Prime Minister had betrayed his office by plunging the country into a fratricidal civil war and that he was removing him and certain Ministers of his Government from office, with immediate effect. At the same time he instructed Mr. Joseph Ileo, the President of the Senate, to form a new Government and he requested the United Nations to ensure peace and order.

The Prime Minister, for his part, spoke to the population three times that day on the national radio, declaring that the President was no longer the Chief of State and calling upon the people, the workers and the army to rise.

That same night, in the face of an imminent breakdown of law and order, ONUC, in the interests of the maintenance of peace, temporarily closed all the major airports to air traffic. The following day it took an emergency step directly related to the foregoing and temporarily closed the Leopoldville radio station.

On 7 September the Chamber of Representatives decided, by 60 votes to 19, to annul the decisions whereby the Chief of State and the Prime Minister had dismissed each other from office and on 8 September the Senate decided by 41 votes to 2, with 6 abstentions, against the presidential proclamations. The following day President Kasa-Vubu rejected the votes of the Senate and the Chamber, on the grounds that decisions by the Chief of State were not subject to the approval of the two Chambers. Mr. Lumumba, for his part, declared that he himself was now Chief of State and Supreme Commander of the National Army.

On 8 September Mr. Rajeshwar Dayal, the Indian ambassador, assumed office as Special Representative of the Secretary-General in the Congo.

Meanwhile, on 7 September, the Secretary-General had submitted his fourth report to the Security Council. In it he emphasized the urgent need for international financial aid to the Republic of the Congo, which he estimated at about $100 million for 1961 owing to the large deficit in the Congolese budget for the financial year 1961 and the deficit of the order of $100 million in the balance of payments for 1960. The Secretary-General therefore proposed that an international account should be established within the United Nations, into which would be directed the contributions of all countries willing to help in the restoration of economic life in the Congo and in enabling its public services to be maintained at a reasonable level; this assistance should preferably be channelled through the United Nations.

The Secretary-General emphasized, however, that neither the military and civilian operations nor the financial assistance would serve their purpose if the internal conflicts centring round constitutional problems and linked also to tribal differences and claims were not peacefully settled by the parties concerned, bearing in mind the necessity of conserving the unity and integrity of the country.

In view of the recent intensification of internal strife, the Secretary-General considered it essential that the Security Council should appeal to all States to refrain from any action which might tend to impede the restoration of law and order or to aggravate differences and that it should clarify, in appropriate terms, the mandate of the United Nations Force. In view of the fact that the internal conflicts had brought about a considerable loss of human life and continued to be dangerous, emphasis should be placed, the Secretary-General said, on the protection of the lives of the civilian population in the spirit of the Universal Declaration of Human Rights and the Convention on Genocide; that might necessitate a temporary disarming of military units which, in view of the circumstances, were an obstacle to the restoration of law and order.

On 4 September the Secretary-General pointed out to the Permanent Representative of Belgium that according to information he had received officers of Belgian nationality were attached to the Katanga forces and other groups and that the Belgian Government had apparently permitted persons connected with its military services to provide help, under a "technical assistance" programme, to forces fighting against the Government of the Congo. If that were so, the position of those officers would be essentially different from that of private individuals volunteering for service in a foreign army.

The Secretary-General therefore asked to be informed of the conditions under which Belgian officers were serving in the Katanga forces and other military or para-military groups in conflict with the Central Government.

On 8 September the Secretary-General asked the Belgian Government to inform him whether it was true that the Belgian Government had sent, or authorized the sending of, a cargo of weapons weighing about nine tons on board a DC-7 civil aircraft of the Sabena Airlines, the cargo having been unloaded at Elisabethville on 7 September.

If that fact were established, the Secretary-General would consider it necessary to make a formal protest against the delivery, which was contrary to the Security Council resolution of 22 July, and he emphasized the fact that that resolution was binding under Articles 25 and 49 of the Charter, which were expressly invoked by the Council in its resolution of 9 August 1960.

In his replies of 8 and 9 September the Permanent Representative of Belgium confirmed the fact that some light weapons of Belgian origin, weighing considerably less than nine tons, had arrived at Katanga but that the delivery in question was an order which had been placed before 30 June 1960 and that the execution of the order had been due to the incompetence of an ill-informed official. The Belgian Government averred that it had immediately taken the requisite measures to make certain that there would be no recurrence of any action of that kind in the future.

In its reply the Belgian Government informed the Secretary-General that in accordance with the treaty of friendship between Belgium and the Republic of the Congo the Belgian officers serving with the *Force publique* on 30 June 1960 were to continue at their posts in the independent Republic of the Congo and that the Belgian Government was not entitled to intervene. In Katanga the officers had been retained in their posts by the competent authorities. Furthermore, a number of members of the *Force publique* who had been stationed in other provinces had gone into the service of the Katanga government, at its request, after the disorganization of the Congolese *Force publique*. A small number of Belgian experts, too, had been supplied to the Katanga *corps de gendarmerie* as technical assistance. The Permanent Representative of Belgium added that such assistance, whose purpose was to ensure the maintenance of order, could not be regarded as contrary to the resolution of 22 July and its withdrawal could not but result in a complete disorganization of the *gendarmerie* and even of the police.

On 8 September the Permanent Representative of Yugoslavia wrote to the President of the Security Council pointing out that new and very serious difficulties, caused by outside interference, had arisen recently. The Government of Yugoslavia therefore deemed it necessary and urgent that the Security Council should be convened without delay.

In a telegram dated 8 September Mr. Lumumba asked the Security Council to hold a meeting at Leopoldville so that it might see for itself the situation in the Congo resulting from the interference of the United Nations authorities in the domestic problems of the Congo.

The Secretary-General asked the President of the Council to convene a meeting of the Council to consider his fourth report.

The Security Council examined all the facts, communications and reports referred to above during eleven meetings, held in the period from 9 to 17 September 1960.

On 9 September the Council rejected, by 6 votes to 3 (Ceylon, Poland, USSR), with 2 abstentions (Ecuador, Tunisia), a draft resolution submitted by the Soviet Union taking up Mr. Lumumba's proposal that the Council should hold a special meeting at Leopoldville forthwith.

In the statement he made during that meeting, the Secretary-General declared that the Council had come to a point where it must take a clear line with regard to all assistance to the Congo. The Council would not be able to achieve its aims, he said, unless it requested that such assistance should be channelled exclusively through the United Nations; that would solve the problem of military assistance to Katanga, as also that of the abuse of technical assistance in other parts of the Congo. It would make it possible to localize the conflict and to bring about a peaceful solution of the domestic problems of the Congo, without any interference from outside influencing the outcome.

Only thus could the Council justify its appeal to Member States for the funds so desperately needed by the Congo. It was in fact essential that law and order should be restored and that economic activities should start up again if the money provided for that purpose was not to be simply lost. It was now being said that it was the United Nations that had worked against such efforts by the Congolese authorities. In that connexion the Secretary-General described the events which had obliged the United Nations representatives to close the Leopoldville radio station and the airports temporarily. The constitutional crisis to which the dismissal of the Prime Minister by the President of the Republic had given rise had confronted the United Nations with a situation of great complexity. The instructions given to the representatives of the Secretary-General in the Congo had been to avoid any action by which, directly or indirectly, they would pass judgement on the stand taken by either one of the parties in conflict. The contradictory claims put forward by the President and the Prime Minister and the danger of an imminent popular uprising if the people were worked up by a radio war between the protagonists had led the United Nations representatives to adopt emergency measures, within the United Nations mandate for the maintenance of law and order, without their even being able to consult the Congolese authorities beforehand. The Secretary-General assumed responsibility for the decisions his representatives had taken on his behalf in view of the extreme urgency of the problem and the immediate danger of serious disturbances. The situation remained such that the question of the closing of the airports and of the national radio had to be submitted to the Council for its instructions.

The Secretary-General recounted also the massacres of Balubas by Congolese army troops in the Bakwanga region, who had killed not only combatants but also defenceless civilians. Over and above the constitutional difficulties that had arisen at Leopoldville and the action, bordering on genocide, taken against the Balubas in Kasai, the United Nations had been faced with further difficulties in Katanga owing to the attitude adopted by the Elisabethville authorities and their supporters. Belgian assistance in Katanga was not, however, an isolated fact: there were others who followed a similar line, justifying their policy by the argument that their assistance was given to the constitutional Government of the country. In order, therefore, to put a stop to such abuses of technical assistance, it was imperative that all assistance to the Congo should be channelled through the United Nations.

On 10 September the Council considered the request from the Central Government of the Republic of the Congo that the Council should adjourn its discussion until the Congolese delegation arrived in New York. In view of the conflicting information that it was constantly receiving, the Council decided, without objection, to adopt a proposal put forward by the representative of Tunisia that it should adjourn until 12 September. The President made an appeal that no action should be taken that might aggravate the very dangerous situation in the Congo.

In a communication dated 10 September Mr. Lumumba requested the United Nations to recommend to the Secretary-General and his fellow-workers that they should not interfere in the internal affairs of the Congo, should adopt no further resolutions concerning the Congo until the resolutions already adopted had been fully implemented and should restore the national radio to the Congolese Government that very day. He also protested against the Secretary-General's assertion that the troops of the National Army should be disarmed.

In telegrams dated 11 September Mr. Lumumba, President Kasa-Vubu and Mr. Ileo (whom the President had appointed to succeed Mr. Lumumba as Prime Minister) informed the Secretary-General of the forthcoming arrival in New York of a delegation of the Central Government and another representing the Republic of the Congo. In another telegram the President of the Republic requested the Secretary-General to cease to have any dealings with the Ministers whom he had dismissed and requested the United Nations to continue temporarily its administrative and military assistance to the Congo, to give the Congolese political leaders and members of Parliament its protection and to continue temporarily to guard airports, ports, the national radio station and essential public services. In a message dated 11 September he further requested the United Nations to reorganize and train the National Army under his supreme command, as also the police force.

On 11 September the Special Representative informed the Secretary-General that Mr. Lumumba, accompanied by a personal guard and some members of the Congolese National Army, had attempted to seize the radio station by force. The Council held a short meeting on 12 September but decided to adjourn, on the proposal of the United States representative, who drew attention to the confusion in the information received from various sources on the situation facing the Council. The motion for adjournment was adopted by 9 votes to 2 (Poland and the USSR).

On 12 September the Presidents of the two Chambers informed the Special Representative that the Parliament would undertake the surveillance of the normal and peaceful utilization of the radio station and airports. Consequently, on 12 September, the United Nations, on its own initiative, reopened the radio station, appealing to all to exercise restraint in its use. Similarly the airports were opened to all peaceful, civilian and humanitarian traffic.

On the same date the Chief of State issued an ordinance proclaiming the composition of the new Government and dismissing eleven members of the "former"

Government from office. At the same time Mr. Lumumba was arrested by the *gendarmerie* but was released a few hours later. On 14 September a joint session of Parliament conferred full powers on Mr. Lumumba in a vote which, according to the Special Representative, was somewhat uncertain as to both substance and count.

The Special Representative received a message from Mr. Lumumba, for transmission to the President of the Security Council, in which Mr. Lumumba stated that, in view of the attack that had been made upon him and in order to prevent other attacks, he asked to be provided direct with twenty aircraft and their crews, a large quantity of arms and ammunition and a powerful radio transmitter and that if he was refused the assistance for which he was asking he would be obliged to seek such assistance elsewhere.

On 14 September the Chief of State suspended Parliament, but the legality of this measure was contested by the Presidents of the two Chambers. That same evening the Chief of Staff of the Army announced that, as two opposing Governments were fighting for power, the Army was taking power, by means of a peaceful revolution, until 31 December 1960 and that he intended to set up a *"collège d'universitaires"* for the government of the country.

Meanwhile, on 12 September, the USSR representative had asked for a meeting of the Security Council to be convened for the urgent consideration of the question of the implementation of the resolutions it had adopted on 14 and 22 July and 9 August; on 13 September the Yugoslav representative, too, had asked for a meeting of the Council. Before the Council met, the Congolese delegations appointed by Mr. Kasa-Vubu and Mr. Lumumba respectively arrived in New York and asked to be allowed to take part in the Council's deliberations.

The Council resumed its work on 14 September, on which date the President of the Council received four letters. The first, which was from Mr. Lumbala, Secretary of State, Office of the President of the Council of Ministers, and Special Delegate to the Security Council, announced that Mr. Kanza had been accredited to take part in the discussions of the Security Council and that the only Congolese delegation entitled to represent the Central Government of the Republic was that headed by Mr. Kanza. The second letter, which was from Mr. Kanza, stated that on Tuesday, 13 September, the two Legislative Chambers of the Republic of the Congo had granted full powers to the Government presided over by Mr. Lumumba. The third letter, which was also from Mr. Kanza, transmitted two messages, the first signed by Mr. Lumumba and the second by Mr. Kasongo, President of the Chamber of Representatives, and Mr. Okito, President of the Senate; the messages described the arrest for a few hours of Mr. Lumumba. The fourth letter, signed by Mr. Lumumba, described the situation in the Congo and the constitutional problem; the conclusion in the letter was that Mr. Lumumba's removal from office by President Kasa-Vubu was illegal, that the appointment of a new Government had no legal validity and that President Kasa-Vubu had in fact demanded that the country should be placed under United Nations trusteeship.

The two meetings which the Council held on 14 September were almost entirely devoted to the question whether one of the rival delegations should be invited to take part in the discussion. The USSR representative formally requested that Guinea, which had asked to speak on the point, should be allowed to do so. The proposal was rejected by 5 votes to 4 (Ceylon, Poland, Tunisia, USSR), with 2 abstentions (Argentina, Ecuador).

A Polish proposal, supported by Ceylon and the USSR, that the delegation headed by Mr. Kanza should be invited to the Council table failed of adoption since it received only three affirmative votes (Ceylon, Poland, USSR), the other eight members of the Council abstaining. This decision was preceded by a discussion of the constitutional problem of the Congo. Generally speaking, the members who voted in favour of the Polish proposal maintained that there was in fact no such problem since the Council had dealt with the Central Government of the Republic of the Congo from the outset and that Government still enjoyed the confidence of the Congolese Parliament. The abstaining members held that the question of who was exercising legitimate authority in the Congo was far from clear and that neither the Council, nor the international community, nor the States that constituted that community, had the right to question the legal origin or the legitimacy, in so far as domestic matters were concerned, of other Governments. That was a question within the exclusive competence of the Congolese people. From the international point of view, one of the basic criteria for the recognition of a State was the effective exercise of authority, which was, to say the least, open to question in the Congo and had not been clearly established.

On 15 September the United States representative submitted a draft resolution according to which the Council would call upon Member Governments to make voluntary financial contributions to a United Nations Fund for the Congo, to be used under United Nations control as determined by the Secretary-General, would urge all parties to the internal conflicts to seek a speedy settlement by peaceful means, with the assistance of the Secretary-General, and would request all States to refrain from any interference and from sending any military equipment other than through the United Nations.

On the same day the representative of the Soviet Union also submitted a draft resolution according to which the Security Council would invite the Secretary-General and the Command of the United Nations Force to cease forthwith any form of interference in the internal affairs of the Republic of the Congo and immediately to hand over the airports and the national radio to the full control of the Central Government, instruct the Secretary-General to remove the present Command of the Force, and call upon all Member States to provide financial assistance to be placed directly at the disposal of the Congolese Government.

On 17 September the representative of Ceylon submitted, on behalf of the delegation of Ceylon and Tunisia, a draft resolution according to which the Council would call upon all Congolese to seek a speedy solution by peaceful means of all their internal conflicts, appeal to all Member States to contribute to a Fund for the Congo to be used under United Nations control and in consultation with the Central Government, request all States to refrain from any action which might prejudice the territorial integrity and the political independence of the Congo, decide that no assistance for military purposes should be given to the Congo except as part of the United Nations action and remind Member States of their obligations under Articles 25 and 49 of the Charter.

On the same day the representative of the USSR submitted a number of amendments to the two-Power draft resolution because he felt that it could not serve as a basis for a positive decision on the Congo question.

The representative of Ceylon, supported by the representative of Tunisia, asked for the two-Power draft resolution to be given priority in the voting. The representative of the United States raised no objection to that request. The representative of the USSR was insistent that the USSR draft resolution should be put to the vote in the order in which it had been submitted.

The USSR draft resolution was rejected by 7 votes to 2 (Poland, USSR), with 2 abstentions (Ceylon, Tunisia).

The five USSR amendments to the two-Power draft resolution were then put to the vote one by one. They were rejected.

The draft resolution of Ceylon and Tunisia received 8 votes in favour, 2 against (Poland, USSR), and one member abstained (France). It was not adopted, one of the negative votes being that of a permanent member of the Council.

The Security Council then adopted, by 8 votes to 2 (Poland, USSR), with one abstention (France), a draft resolution submitted by the United States representative whereby the Security Council, taking into account that the lack of unanimity of its permanent members had prevented the Council from exercising its primary responsibility for the maintenance of international peace and security, decided to call an emergency special session of the General Assembly as provided in General Assembly resolution 377 A (V), in order to make appropriate recommendations.

6. Fourth emergency special session of the General Assembly (17 to 19 September 1960)

In pursuance of the resolution adopted by the Security Council on 17 September the Secretary-General, by a telegram of the same date, summoned the fourth emergency special session of the General Assembly to meet on 17 September at 8 p.m. to debate the "Question considered by the Security Council at its 906th meeting on 16 September 1960".

The Assembly discussed the question at six plenary meetings from 17 to 19 September.

The discussion of this question in the General Assembly followed on the whole the same lines as the Security Council debate.

On 18 September, a group of seventeen Asian and African countries submitted a draft resolution patterned on the text which the Security Council had been unable to adopt on the previous day because of the dissenting vote of one permanent member of the Council. Under this draft resolution the Assembly would: (1) fully support the resolutions of the Council; (2) request the Secretary-General to continue to take vigorous action in accordance with the terms of those resolutions and to assist the Central Government of the Congo in the restoration and maintenance of law and order throughout the territory of the Republic of the Congo and to safeguard its unity, territorial integrity and political independence in the interests of international peace and security; (3) appeal to all Congolese within the Republic of the Congo to seek a speedy solution by peaceful means of all their internal conflicts for the unity and integrity of the Congo, with the assistance, as appropriate, of Asian and African representatives appointed by the Advisory Committee on the Congo, in consultation with the Secretary-General, for the purpose of conciliation; (4) appeal to all Member Governments for urgent voluntary contributions to a United Nations Fund for the Congo to be used under United Nations control and in consultation with the Central Government; (5) request all States to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Government of the Republic of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo; (6) without prejudice to the sovereign rights of the Republic of the Congo, call upon all States to refrain from the direct and indirect provision of arms or other materials of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying out the purposes of the resolution and of the resolutions of 14 and 22 July and 9 August 1960 of the Security Council.

At the last plenary meeting on 19 September, the Soviet Union submitted a draft resolution and a series of amendments to the seventeen-Power draft resolution.

Under the USSR draft resolution the General Assembly would: (1) condemn the armed aggression of Belgium against the Republic of the Congo carried out with the support of its NATO allies and urgently demand that the Belgian Government and its military allies immediately withdraw all their troops and military personnel from the entire territory of the Congo, whatever the cover or pretext under which they were there; (2) note with satisfaction the Security Council's resolutions of 14 and 22 July and 9 August 1960, designed to terminate the aggression of Belgium against the Republic of the Congo and to ensure the territorial integrity and political independence of the Republic; (3) note that the failure of the Secretary-General and the United Nations Command to implement a number of very important provisions of the aforesaid resolutions, in particular the provisions concerning non-interference in the internal affairs of the Congo and the ensuring of the territorial integrity and political independence of the Republic of the Congo, had resulted in the disorganization of the economy, the aggravation of the political situation in the country and the removal of the legitimate Government and Parliament; (4) call upon all States to refrain from any actions which might be detrimental to the territorial integrity and political independence of the Republic of the Congo.

When submitting his amendments to the seventeen-Power draft resolution, the USSR representative explained why he considered it necessary to amend the text. First, the reference to the Central Government of the Congo should specify that it was in fact the one which the United Nations was required to assist in accordance with the Council's decision; the word "legitimate" should therefore be inserted before "Central Government" to exclude the possibility of United Nations assistance being given to some unlawful group claiming to be the Central Government.

It was no less essential to give an assessment of the events which had taken place in the Congo, and therefore to refer to Belgium's "armed aggression" against the Republic of the Congo, and to point out the errors and shortcomings in the implementation of the Council's resolutions by the Secretary-General and his staff, so that he might correct the manner of their implementation and permit no further errors.

There was no resolution of the Security Council or any other United Nations body providing for the establishment of the Advisory Committee mentioned in the seventeen-Power text. The establishment of such a body without the consent of the Central Government of the Congo would be nothing short of interference in the internal affairs of the Congo from above, on the initiative of the Secretary-General and with the collaboration of the Asian and African countries. It was therefore important to ensure that that Committee would intervene only at the request of the legitimate Central Government.

Lastly, the paragraph dealing with the United Nations Fund for the Congo relegated the Central Government to a minor role in a purely consultative capacity. To leave the entire administration of the Fund in the hands of the Secretariat would in effect be to place the Congo under United Nations trusteeship. Provision should therefore be made for the legitimate Central Government to use the Fund in consultation with the United Nations and not *vice versa*.

Following an appeal to him by the representative of Ghana, the Soviet representative said at the last plenary meeting that he would not press for a vote on the Soviet draft resolution and amendments. He indicated, however, that he would abstain on the seventeen-Power draft resolution.

The seventeen-Power draft resolution was voted on in parts. The resolution as a whole was adopted by 70 votes to none, with 11 abstentions (resolution 1474 (ES-IV)).

The positions adopted and arguments adduced during the fourth emergency special session were essentially similar to those of the Security Council debates of 9 to 17 September. Some Members, including the Soviet Union and the East European countries, criticized the United States for requesting an emergency special session immediately before the opening of the regular session.

The representatives of the United States, the United Kingdom, Italy and other countries pointed out that the main justification for convening the emergency session was the Soviet Union's violation of one of the basic principles of United Nations action in the Congo, namely that permanent members of the Security Council should not be called upon to contribute troops to the United Nations Force and should not, moreover, furnish unilateral military assistance to the authorities of the Congolese Republic.

The United States had respected that principle and had taken no action in the Congo except through the United Nations. The Soviet Union, on the other hand, had on its own admission sent to the Congo hundreds of so-called technicians (subsequently expelled by the Congolese authorities), some two dozen aircraft and 100 trucks. Furthermore, the Soviet representative had categorically asserted in the Security Council his country's right to furnish unilateral military assistance to the Central Government of the Congo; it had been for that reason that the Soviet Union had vetoed the draft resolution which had sought, in effect, to bar all military assistance to the Congo that was not channelled through the United Nations. The Assembly's principal task was therefore to clarify and reinforce the mandate of the United Nations.

The representatives of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania, the Ukrainian SSR and the USSR accused the United States, Belgium and the NATO countries in general of subversive activities designed to bring about the disorganization and collapse of the Lumumba government, which had dared to steer a course independent of the collective colonialism of NATO. It was that neo-colonialism which favoured the secessionist intrigues in Katanga, principally in order to maintain control of the province's uranium mines. Moreover, the Secretary-General and the United Nations Command in the Congo had allowed NATO's imperialist manoeuvres to proceed under cover of the United Nations flag.

They doubted the usefulness of further United Nations resolutions when the Security Council's decisions of 14 and 22 July and 9 August 1960 had not been fully implemented and the Secretary-General had misused the powers vested in him by the Council: Belgian military personnel had not been completely withdrawn from Congolese territory; the Secretary-General had refused to give the Central Government the military assistance which the Council had decided to grant it; he had permitted the closure of the central radio station and airfields; lastly, he had asked the Council for a mandate to disarm units of the Congolese army and had ordered a cease-fire on the borders of Katanga to prevent the troops of the Central Government from entering that province and overthrowing Tshombe.

The course pursued by the Secretary-General had therefore been the reverse of one of non-intervention in the Congo's internal conflicts. The Soviet Union, however, had acted in accordance with the letter and the spirit of the Council's decisions by assisting the young African State in its difficult struggle to free itself from colonial dependence.

The only Soviet technicians sent to the Congo had been civilian specialists placed at the disposal of the legitimate Government of the Congo at its request, while the so-called Belgian specialists and experts were in fact military personnel masquerading as civilians.

It was easy to understand why the United States had sent neither military personnel nor armaments to the Congo. Had not the United States President in fact declared that he had absolute confidence in the Secretary-General and that he would support any measure the latter might take?

Most Western representatives, as well as those of Latin America, Asia and Africa, emphasized the need for the General Assembly to adopt a resolution drawn up on the following basic principles: the strengthening of the United Nations operation by the establishment of a fund to help the young Republic to overcome its budgetary and economic difficulties; prohibition of all outside interference in the internal affairs of the Congolese State and especially military assistance to that State other than through and at the request of the United Nations, so as to avoid extending the cold war to the Congo and Africa; the peaceful settlement of internal differences by the Congolese themselves, with the assistance of a Conciliation Commission composed of African and Asian States; respect for the political independence, unity and territorial integrity of the Republic of the Congo; and lastly, protection of the life of the people in the spirit of the Universal Declaration of Human Rights and the Convention on Genocide.

Replying to the accusations against the Secretary-General and his staff, many representatives either commended the Secretary-General and the Secretariat on the correct, impartial and efficient manner in which they had carried out the Security Council's decisions, or deplored those accusations. Several of them said that, despite a few unavoidable mistakes, United Nations action in the Congo had been beneficial and that the only alternative to such action was direct unilateral assistance from outside, which would lead to the country's disintegration and to conflict between the great Powers.

Some representatives emphasized that no member of the Security Council could reproach the Secretary-General with not having acted in accordance with the logic and the principles on which that body had based its decisions, particularly as the Council had sometimes taken refuge in resolutions which failed to clarify adequately the Secretary-General's mandate and to give him the clear instructions he had requested. The Council had tacitly endorsed the Secretary-General's interpretation of the principle underlying the operations of the United Nations Force in the Congo. Those who had reproached the Secretary-General for not having forced an entry into Katanga and for having agreed to enter into negotiations with Mr. Tshombe had apparently forgotten that the Secretary-General had not acted on his own judgement but had referred the matter to an emergency meeting of the Security Council. The resolution of 9 August stated clearly that, while it was essential for the United Nations Force to enter Katanga, it must not interfere in or be used to influence the internal affairs of the country. Moreover, when the very question was raised whether force should be used to enter Katanga, the Council had not seen fit, even in that instance, to waive the principle that the United Nations should not resort to force.

The representative of the United Arab Republic considered the temporary seizure of the Leopoldville radio station and the airfields to have been a grave mistake which should not be repeated and believed that the action could have been avoided had there been closer consultation between the United Nations and the Central Government of the Congo. The representatives of several other countries, notably Yugoslavia, also regretted that there had not been closer co-operation between ONUC and the lawful Congolese Government and that the removal of Belgian troops, by force if necessary, had not yet been completed. Other representatives, however, did not regard the temporary seizure of the radio station and the airfields as an abuse of power and maintained that, in view of the absence of any Congolese authority in undisputed command at Leopoldville and the urgency of the situation, it was the duty of the United Nations officials to maintain order in accordance with their instructions until authority had been sufficiently strengthened for the resumption of consultations.

In a brief statement, the Secretary-General said that in the case of Katanga he had acted within the powers vested in him by the Security Council, which had ruled out the use of force. In those circumstances, there had been no alternative but to make the entry of the United Nations Force into Katanga the subject of negotiations. He had moreover had prior consultations with the delegation of the Central Government of the Republic of the Congo in New York and had unsuccessfully tried to see the Congolese Prime Minister at Leopoldville on returning from Katanga.

To the often repeated complaint that the United Nations had not helped the Central Government, the Secretary-General had once again to reply that no Government could turn the United Nations Force into a national force and use it for its own purposes. Contrary to certain accusations, numerous consultations had taken place on civilian and military matters between the United Nations and constitutionally responsible Ministers of the Central Government. Lastly, it was untrue, as some had claimed, that the Secretary-General was vested with all powers to effect the removal of Belgian troops; the Security Council itself had not taken any decision regarding enforcement measures and had certainly not delegated to the Secretary-General any right to take such action. The power of the Secretary-General resided exclusively in the moral and legal weight of the Council's decisions.

The representative of Guinea stated that, although his country had co-sponsored the draft resolution before the Assembly, there were in his opinion flagrant contradictions between the spirit of the three resolutions adopted by the Council and the actions of the United Nations officials entrusted with their application. In his view, the drama of the Congo was the outcome of a vast conspiracy organized by the imperialists who wanted to keep Africa in a state of submission.

The representatives of Italy, the United States, the United Kingdom and other countries emphasized that the accusations brought by the Soviet Union against the NATO Powers were entirely without foundation. None of those Powers had in fact given any military assistance to the Congo except through the United Nations; moreover, those countries were in favour of multilateral aid to the Congo, even in the economic field; France and the United Kingdom pursued a policy whose goal was the independence and not the subjection of formerly dependent peoples. On all those points the position taken by the Soviet Union was diametrically opposed to that of the NATO Powers. The fact that African and Asian countries had supported, and continued to support, United Nations action in the Congo and had chosen to render assistance to the Congo through the United Nations disproved the false and absurd accusation of complicity between NATO and the Secretary-General levelled by the Soviet Union and a few other countries.

The representative of Belgium said he would vote in favour of the seventeen-Power draft resolution and refuted once again the charge of Belgian aggression against the Congo, which had not been accepted by any United Nations body, since the sole purpose of Belgian intervention in the Congo was to ensure the safety of its nationals. The evacuation of Belgian troops had been practically completed on 29 August, as their purpose had been achieved and their functions had been taken over by the United Nations Force. The accusations that Belgium wanted to dismember the Congo and maintain its control of the uranium deposits in Katanga were clearly absurd; the operation of the uranium mines had ceased in April 1960 and it had been the Belgian administration which had created the unity of the Congo and had upheld it at the Brussels Round-Table Conference and in the provisions of the *Loi fondamentale*, in the face of opposition even from some Congolese leaders. The autonomist tendencies which had emerged since independence were a purely Congolese manifestation. The Belgian representative also asserted that his Government had had nothing to do with the recruitment of Belgian volunteers for the forces of the Katanga government and had immediately taken what action lay within its power to prevent the departure of such volunteers. Belgium, for its part, accepted the principle that no military assistance should be sent to the Congo except through the United Nations and would in fact have welcomed an unambiguous declaration of that principle.

The representative of France said that the formation of an effective Congolese Government was a purely internal matter which should take place without any outside interference, even by the United Nations, as such interference must cast doubt on the national and spontaneous character of any government formed under those conditions. The French delegation could not agree to the operative paragraph dealing with the Conciliation Commission, whose function would be to help the Congolese to resolve their internal conflicts and whose members, furthermore, would not be selected in accordance with the principle of universality. Plans for technical assistance to the Congo could only be made when the Congolese Government had established an efficient administration. Meanwhile, the function of the United Nations was essentially to maintain order and ensure the safety of persons and property. Until the considerable expenditure involved in that material effort progressively diminished, extreme caution should be exercised in assuming fresh responsibilities. For those reasons, France would abstain from voting.

7. First progress report from the Special Representative in the Congo

(Situation on 21 September 1960)

In his first progress report, submitted on 21 September 1960, the Special Representative of the Secretary-General expounded the circumstances which had led the United Nations to deal with the question of the Congo and drew a general picture of the situation at the political, military and administrative levels.

In the first phase of its operations the primary objective of ONUC had been to ensure the speedy evacuation of Belgian forces from the territory of the Congo. At the same time, all possible efforts had been made to help to maintain essential services and to encourage the resumption of normal activity, while assisting the Congolese authorities to restore discipline in the *Force publique*.

New differences and manifestations of violence had, however, begun to appear; the tribal conflicts which had plagued the country long before it attained independence had taken on a more serious character and spread into the political field, giving rise to secessionist movements. The United Nations Force had used its best efforts to safeguard lives and to prevent massacre and genocide. By the use of United Nations good offices the hostilities on the Kasai-Katanga border had virtually been halted by a cease-fire agreement.

In addition to those serious difficulties, ONUC had encountered still further difficulties in its relations with the Central Government. Thus the Prime Minister had demanded that the airports should be controlled entirely by the Congolese National Army. That step, which the Prime Minister sought to impose by force, would have deprived the United Nations of its ability to guarantee the security of the centres of communication which were indispensable to the performance of its functions. Negotiations on the subject had been entered into with the Congolese Government with a view *inter alia* to giving it the assurance that it should exercise civil control over non-ONUC flights.

The negotiations had been interrupted by the grave constitutional crisis of 5 September 1960, following the dismissal of the Prime Minister by the Chief of State and the appointment by the latter of a new Government presided over by Mr. Ileo. During the crisis a number of serious incidents had occurred, including a show of force at the radio station both before and after its re-opening on 12 September, the dismissal of eleven members of the "former" Government and the proclamation by the Chief of State of the composition of the new government, the temporary arrest of the Prime Minister on the order of the Chief of Staff of the Army, an appeal to the Security Council by Mr. Lumumba for direct military aid, the conferring of full powers on Mr. Lumumba, in circumstances of some obscurity, by a joint session of Parliament on 13 September, the suspension of Parliament by the Chief of State on 14 September and, on the same day, a broadcast by the Chief of Staff of the Army announcing that the Army was taking power, by means of a peaceful revolution, until 31 December 1960. On 20 September the Chief of Staff had announced the formation of his government, consisting of a College of Commissioners designated by the Chief of State.

In this confused situation, with three rival governments jockeying for position and each demanding as a right the enlistment of ONUC's support to enforce its own particular political solution, ONUC had maintained an attitude of strict neutrality. In particular it had declined to effect the arrest of Mr. Lumumba, as requested by the Chief of State. In order to avoid influencing the outcome of the conflict or laying itself open to accusations of "taking over" the government, ONUC had been obliged by considerations of prudence to slow down its operations in many ways; moreover formal agreements could not be negotiated in the confusion that prevailed at the governmental level. ONUC had confined its function of maintaining law and order to the impartial execution of its international mandate, though without excluding the possibility of offering its good offices should that be sought by all concerned.

As far as civilian operations were concerned, the Special Representative stressed that, for the first time in their history, the United Nations and the specialized agencies had collaborated in the Congo as a single team of civilian officials—the largest ever sent to any country.

Following the large-scale departure of European personnel incident to independence, the telecommunications services, air traffic control services, meteorological services and surface transport had had to be largely supervised by United Nations experts. Similarly, the sector of finance and trade, education, the tax collecting and customs agencies, the security organs, the public health services, labour administration, the social security services, labour inspection, the statistical services and the judiciary and court system had been paralysed or threatened with collapse.

Because of the nature of the emergency, United Nations assistance had begun by being largely operational, but the advisory mission had turned its attention to the enormous planning, training and organizational problems which lay beyond the first emergency. None of the economic and social problems facing the Congo had been more serious than that created by the need to establish a body of officials and technicians, to be recruited ultimately among the local population but for the time being from abroad.

The Special Representative further observed that a still greater crisis might be anticipated when the momentum of the old system had run down and when those old institutions which still existed could no longer be used. New and simpler structures must be built to replace the old ones, which would become useless later on. That would be a slow and painful process which would take most of the attention of the United Nations civilian operations team for a long time to come. The United Nations had done a great deal in the face of almost insuperable odds, but more could have been done if there had been a certain measure of stability in the Central Government, an integrated policy, a sense of security and freedom from disorder. Unfortunately those conditions had not yet been achieved and indeed the trend had been in the reverse direction.

The Special Representative concluded his first report by stressing that the Mission was in the Congo to help but not to intervene, to advise but not to order, to conciliate but not to take sides. Once the political crises had been settled, the United Nations assistance programmes, in consultation with the Government, could be applied with all speed in the interests of the Congolese people.

8. Fifteenth session of the General Assembly (General debate)

On 16 September 1960 the Soviet Union requested the inclusion of an item entitled: "Threat to the political independence and territorial integrity of the Republic of the Congo" in the agenda of the fifteenth session as an urgent and important question.

In accordance with the recommendation of the General Committee, the Assembly decided to include the item in its agenda under the heading "The situation in the Republic of the Congo" and to examine it in plenary meeting without reference to a Committee.

During the general debate a number of Chiefs of State, Heads of Governments and Chairmen of delegations alluded to the situation in the Congo.

The President of Ghana stated that the United Nations could not at one and the same time preserve law and order and be neutral between the legal authorities and the law-breakers. The United Nations should, on the contrary, give its entire support to the Central Government. He suggested that the United Nations should delegate its functions to the independent African States, especially those which had contributed to ONUC. The ONUC forces should consist only of contingents from independent African States and should be placed under a United African Command. Financial and technical assistance should be arranged only with the legitimate Government of the country and should be channelled through the United Nations under the supervision of a committee of the independent African States.

The Liberian Minister for Foreign Affairs said that his Government could not endorse the suggestion of a purely African command for the United Nations Force in the Congo, which appeared to violate the fundamental principles of the United Nations.

The Sudanese Minister for Foreign Affairs stated that his country desired the disappearance of any form of external interference in the domestic affairs of the Congo. Sudan supported the work being done by the United Nations under the supervision of the Secretary-General, in whom it had full confidence.

The President of Guinea criticized the "negative" action of the United Nations in the Congo and affirmed that the government of Mr. Lumumba was the only legally elected government of the Congo and that it was the duty of the United Nations to defend his position.

The representative of Tunisia expressed deep regret that attempts had been made to exploit the situation in the Congo for the purposes of the cold war. The action taken by the United Nations was in conformity with the Security Council's decisions, which had been implemented by the Secretary-General in a spirit of strict impartiality.

The representative of Mali urged the free nations of the world to take the only decisions that could give a favourable turn to the Congolese conflict, namely to re-establish the authority of the Central Government and to assist it in strengthening its administrative structure. It was essential to circumvent the attempts at secession instigated by Mobutu, Tshombe and Kasa-Vubu, who he asserted were colonialist agents.

The Minister for Foreign Affairs of Cameroun recommended that an attempt should be made to bring about a *rapprochement* between the parties concerned before talking of giving armed assistance to the Central Government. It was legally impossible for the United Nations or its Secretary-General to invalidate or modify such a constitutionally legal measure as the deposition of the Prime Minister by the Chief of State. The Secretary-General, who had displayed complete impartiality, should assist the Central Government, but the United Nations was not entitled to decide who was the Head of that Government. The Congo and the cause of peace owed much to the United Nations and to its Secretary-General. Without them a new Korea would have arisen in the very heart of Africa.

The Prime Minister of India suggested that the United Nations should help the Congolese Parliament to meet and function so that the problems of the Congo might be dealt with by the people themselves. He thought that the General Assembly might consider sending a commission to the Congo to find out what foreign troops or other personnel, apart from the ONUC Force, were still there and how far they were interfering in local affairs. Whatever the legal point of view, he said, all non-Congolese personnel who were not working for the United Nations or for some other humanitarian purpose should leave the Congo of their own accord.

The Chairman of the Council of Ministers of the Soviet Union, and the representatives of some of the countries of Eastern Europe, accused the Secretary-General of showing partiality in the implementation of the United Nations' decisions. In particular, Mr. Khrushchev stated that the United Nations Force had created conditions which favoured the treacherous activities of the puppet Government of Katanga. In his view the United Nations should call for the restoration of order in the Congo so that Parliament and the Central Government presided over by Mr. Lumumba could function normally. Moreover, the United Nations should decide that none but African and Asian contingents should remain in the Congo and then only with the consent of the legally elected Lumumba government. Those contingents should be used only at the discretion of that Government.

The President of the United Arab Republic also suggested that the situation in the Congo should be restored to what it had been before the governmental constitutional crisis.

The representative of the Congo (Brazzaville) asserted that the United Nations should co-operate with the Chief of State, who was the only person in the country legally vested with authority by the Congolese people.

The Prime Minister of Nigeria suggested that the United Nations should send a fact-finding commission to the Congo to look into the circumstances which had caused the governmental constitutional crisis. He considered that the United Nations Force should be given additional powers for a limited period until new elections had placed an effective government in power.

The President of the United States stressed that the attacks made by a few countries on the United Nations' efforts in the Congo were really designed to prolong the conflict. The criticisms directed by those nations against the Secretary-General, who had effectively fulfilled his mandate, were nothing less than a direct attack upon the United Nations itself.

The representative of various countries of Eastern Europe and the American continent and the representatives of Australia, New Zealand, the Philippines, Pakistan, the Federation of Malaya, Burma and others drew attention to the successes of the United Nations operations in the Congo and expressed satisfaction at the manner in which the Secretary-General had implemented the Security Council resolutions. They laid stress on the necessity for avoiding unilateral intervention in the Congo or the extension of the cold war to that country. The Prime Minister of Cuba, however, denounced the activities of the United Nations Force in the Congo, and spoke of obvious intervention by the colonialists and monopolists.

The Minister for Foreign Affairs of Iraq expressed the view that Belgium's secessionist manoeuvres were largely responsible for the deterioration of the situation in the Congo. The Congolese crisis would have ended with the withdrawal of Belgian troops if the Belgians had not left behind them a "time-bomb", which threatened not only the independence and territorial integrity of the Congo but world peace and security and the future of the United Nations.

The Belgian Minister for Foreign Affairs pointed out that on 30 June, after eighteen months of preparation, his country had willingly recognized the total and unconditional independence and territorial integrity of the Congo. The criticism of Belgium in connexion with events occurring after the achievement of independence was absurd, since it implied that before 30 June Belgium had nourished a Machiavellian design to expose over 80,000 of its nationals, more than half of whom were women and children, to acts of brutality in order to justify subsequent intervention by Belgian troops. The latter had acted only to protect human lives and had been withdrawn as soon as the United Nations Force had been in a position to ensure the maintenance of order and security.

The Secretary-General outlined the fundamental principles which had governed the United Nations operation in the Congo. The question before the General Assembly related not to any specific actions but to the principles guiding United Nations activities. The essential principle upon which the United Nations operation in the Congo was based might be defined as the independence, impartiality and objectivity called for in Article 100 of the Charter. An attitude based on that principle would undoubtedly be displeasing to those whose political aims would be better served if a different attitude were adopted. If the holder of the office of Secretary-General was criticized because he adhered to the fundamental principles which should guide his activities, such criticism struck a serious blow at the office itself.

The Congo operation was not an operation by the Secretary-General but by the United Nations. It was for the Organization to indicate what it wanted to have done, but if no positive advice was given to the Secretary-General, he had no choice but to follow his own conviction, guided by the principles to which he had referred.

9. Second progress report of the Special Representative in the Congo

(Situation from 21 September to 31 October 1960)

On 2 November 1960 the Special Representative submitted his second progress report, up to 31 October 1960. According to him, the political, economic and financial situation, both in Leopoldville and in all the provinces, had markedly deteriorated during the period in question. No effective, constitutional central government existed to give direction to the solution of the nation's urgent problems. The most disturbing development was the steady and rapid breakdown of law and order, which was largely due to further indiscipline of the Congolese National Army (ANC).

In recent weeks there had been evidence of a gradual and organized reappearance of Belgian nationals, not only in economic enterprises and humanitarian undertakings but also in many sectors of Congolese public life, where some of the advisers concerned were seeking to obstruct United Nations technical assistance. Furthermore, there was reason to believe that some Belgian nationals had been arming separatist forces and even directing and leading them.

The constitutional crisis, which was far from being solved, had placed ONUC in a difficult position, since each contestant for power continually attempted to enlist United Nations support for his own purposes. In view of the fact that, in accordance with the decisions of the Security Council and the Assembly, ONUC was not to "be a party to any internal conflict, constitutional or otherwise" and not to be "used to influence the outcome", the measures which it took in the impartial fulfilment of its mandate to assist the Central Government of the Congo in the restoration and maintenance of law and order had been interpreted by one faction or another as being directed against itself.

By a presidential ordinance of 20 September 1960, the Chief of State designated as a college or council of commissioners-general the *"collège d'universitaires"* set up on 14 September by the Chief of Staff. On the other hand, no rescission of the presidential ordinance of 12 September naming the Ileo government had been announced.

On several occasions Mr. Lumumba and certain members of the Congolese Parliament formally requested the immediate armed intervention of ONUC to counter the President's decision and to put an end to the action taken by the Congolese troops.

On 29 September the Chief of State conducted a ceremony at which the Commissioners-General were sworn in and announced his intention of calling a round-table conference. Discussions about such a conference continued without achieving any definite result until the end of October.

Separatist political tendencies continued during that period, notably in the Leopoldville and Kivu Provinces.

On 3 October a group of 29 members of the MNC-Lumumba, including a number of members of Parliament and Mr. Lumumba's Minister of Communications, Mr. Songolo, announced their decision to break with Mr. Lumumba.

On 10 October representatives of the ANC produced at ONUC Headquarters a warrant for the arrest of "Patrice Lumumba, Deputy". ONUC took the position that, consistently with its neutrality, it could not order the ONUC guard stationed at Mr. Lumumba's residence to facilitate the execution of a warrant which *prima facie* did not appear to be valid, or to be a party to an act of political violence.

This decision by ONUC led to fresh difficulties with the Congolese authorities, which for some time withheld their co-operation.

On 11 October the Chief of State signed a "Constitutional Decree-Law" creating the Council of Commissioners-General, conferring on himself the authority to name and revoke the Commissioners-General and their deputies, adjourning Parliament and transferring legislative power to that Council.

ONUC, which was committed to the principle of neutrality and legality, could neither choose between rival governments nor give recognition to a régime founded in fact on military force. It had continued to follow its policy of dealing, in routine matters, with whatever authority it found at the head of government departments. Meanwhile, official contacts had continued between the Special Representative and President Kasa-Vubu as Chief of State, as well as between the Supreme Commander of the United Nations Force and Colonel Mobutu as Chief of Staff.

It had not however been possible to conclude formal agreements, for want of an effective central government as well as for legal and political reasons.

The Special Representative also stated that, during the period under review, the withdrawal of regular Belgian troops, with the sole exception of technical personnel temporarily required at the Kamina base, had been completed. On 31 October, however, there remained 231 Belgian nationals in the Katanga *gendarmerie* and fifty-eight Belgian officers in the police.

During the same period, there had been a recrudescence of hostilities between opposing political groups in Katanga, and serious disturbances involving the Katanga forces and the Baluba had occurred in North Katanga. Armed clashes of tribal origin had also broken out in the province of Kasai.

The factious and negative attitude of the Katanga authorities had extended to virtually all aspects of their relations with the United Nations, especially after the Secretary-General had requested the withdrawal from the territory of the Republic of the Congo (including Katanga) of all foreign military, para-military and civilian personnel engaged in an advisory or executive capacity by the Congolese authorities.

In connexion with the return of the Belgians to the Congo, the Special Representative stated that the general consensus of opinion among well-informed ONUC officers and other sources was that a gradual but purposeful return was being staged by Belgian nationals. It had assumed serious significance in view of the key areas of the public life of the country into which the Belgians had penetrated. Their activities had increased the intransigence of the ANC Command as well as of the Katangese authorities and had inhibited peaceful political activity and therefore the possibility of an eventual return to constitutional government.

The task of maintaining law and order in the Congo had become increasingly difficult, since the internal security organs had in fact ceased to function. Moreover, since the assumption of power by the Chief of Staff on 14 September, the ANC troops had been drawn into the vortex of political strife.

Nevertheless, ONUC had intensified its efforts to advise on the necessary reorganization and to encourage the professional spirit of the ANC.

During the period of emergency, and in spite of its inadequate numbers, the United Nations Force had continued to serve as a security force at the request of the Government of the Congo, in order to assist it in restoring and maintaining law and order in areas which had been the scene of serious tribal conflicts.

With regard to civilian operations, the Special Representative observed that new difficulties had been added to the many which were already hampering those operations. These were the virtual lack of a central government, the inexperience and in many cases the political preoccupations of officials and even of heads of technical departments, their lack of system, the continuing transport problem, the danger of a loss of confidence in ONUC aid, a psychological climate dominated by fear or misunderstanding and lastly, the activities of certain Belgians holding advisory and administrative posts who in several instances had tried to create a barrier between Congolese officials and United Nations representatives. Despite these new elements of delay, confusion and disorganization, the economy and public services had been prevented from collapsing, thanks to the efforts of United Nations technicians.

In the confused political situation which prevailed at that time, the only two institutions whose foundations still stood, according to the Special Representative, were the office of the Chief of State and Parliament.

Together with the second progress report of the Special Representative, the Secretary-General drew the attention of the Security Council and the General Assembly to the messages exchanged by him with the Permanent Representative of Belgium and the President of the provincial government of Katanga.

On 8 October the Secretary-General had written to the representative of Belgium saying that the unilateral assistance which the Belgian Government was continuing to furnish to the authorities in both Katanga and South Kasai was not in conformity with paragraph 5 of General Assembly resolution 1474 (ES-IV). He therefore requested the Belgian Government to withdraw all the military, para-military or civil personnel which it had placed at the disposal of the authorities in the Congo and thereafter to follow the example of many other States by channelling all aid to the Congo through the United Nations.

In a second *note verbale* addressed to the representative of Belgium on 19 October, the Secretary-General drew attention to the fact that Belgian military and civilian experts were still being sent to Katanga, South Kasai and Leopoldville. In that connexion the Secretary-General pointed out that the agreements entered into between Belgian technicians and the various Congolese authorities had not been approved by any government or any authority that could rightly claim to be the legitimate Central Government of the Congo. In his reply of 28 October the representative of Belgium stated that no provision, either explicit or implicit, of the Security Council's resolutions or the General Assembly's recommendations gave the Secretary-General the right to insist that all technical aid to the Congo should necessarily be channelled through the Organization. The request for the removal of the Belgian technicians present in the Congo had therefore no legal basis. The Secretary-General's request was in reality based on his conviction that the presence of Belgian technicians in the Congo was harmful. That was an essentially subjective position which was not legal but political. It was at the request of the Congolese authorities that the approximately 2,000 Belgians then in the Congo were working there and contributing to the functioning of the essential machinery of the Congolese State and of its economy. To challenge the right of the Republic of the Congo to apply for and receive such civilian aid as it deemed necessary was tantamount to challenging the exercise by an independent State of certain of its sovereign rights.

On 29 October the Secretary-General drew the attention of the representative of Belgium to the fact that the dispatch of thirty-seven members of the ANC and of forty-seven cadets of the Katanga forces to Belgium to receive military training, under an agreement between the Belgian authorities and Colonel Mobutu in the one case and the Katangese authorities in the other, was contrary to the letter and spirit of paragraph 6 of the General Assembly resolution. He again drew attention to the fact that those arrangements had not been entered into with any legal authority of the Republic of the Congo recognized as such by the General Assembly or the Security Council.

On 8 October the Secretary-General informed the President of the provincial government of Katanga of the anxiety occasioned to him by the threat of an armed conflict in the Congo as a result of the continued presence of a considerable number of soldiers, para-military personnel and civilians—above all in Katanga—by the unresolved constitutional conflict and by the confused and disquieting situation prevailing at Leopoldville.

In the Secretary-General's view it was of crucial importance to circumscribe the Belgian factor and eliminate it. Accordingly, he informed Mr. Tshombe that he had requested the Belgians to withdraw from the Congo all their military, para-military and civilian personnel and to channel any assistance to the Congo through the United Nations. If the groundwork could be laid for a reconciliation between Katanga and the rest of the Congo, the situation at Leopoldville might very well be rectified. If on the contrary the Katanga problem was not quickly resolved in a spirit of conciliation and unity, the resistance the United Nations could offer to a radical split which would carve up both Africa and the Congo might be irremediably weakened.

In his reply to the Secretary-General, dated 27 October, Mr. Tshombe said that the Central Government's complete lack of decision and authority had prevented the study of new structures of the Congolese community. He rejected as unfounded the allegation that Katanga was threatening the integrity of the former Belgian Congo. In Mr. Tshombe's view, it was the Central Government headed by Mr. Lumumba which had been responsible for the collapse of the Congo and for the subsequent tensions through its immoderate xenophobia and its recourse to the assistance of communist countries.

Mr. Tshombe also expressed the view that, contrary to the Secretary-General's apparent belief, a unitary system did not correspond to the basic aspirations of the majority of the peoples in so vast and varied a country. With regard to the Belgians, whose presence was considered by the Secretary-General to be one of the causes of the tension, Mr. Tshombe said that that was not the case, at any rate where Katanga was concerned. The collaboration of the Belgians, the great majority of whom had displayed loyalty and devotion, had made it possible for the essential machinery of administration and public order to continue to function normally. Furthermore, they were in Katanga at the request of the Katanga authorities and on their terms. Their presence had been a factor making for peace and not for disorder.

Nevertheless, Mr. Tshombe had no objection in principle to replacing assistance from Belgium by assistance from the United Nations, to the extent that such an arrangement would imply the retention of most of the advisers and technicians at his disposal; but he could not agree to the stationing in Katanga of technicians outside his authority and with little knowledge of the problems, language and customs of the country.

In conclusion, he expressed the view that the measures advocated by the Secretary-General constituted flagrant interference in the domestic affairs of Katanga and even of the rest of the Congo; their purpose was to impose on it a new form of trusteeship incompatible with its status as an independent State.

In a *note verbale* of 7 December the representative of Belgium transmitted the comments of his Government on the Special Representative's second progress report, with particular reference to the situation of the Belgian nationals who were members of the Congolese administration, Belgium's collaboration with the United Nations and the question of the return of the Belgians to the Congo. When in January 1960 Belgium had acquiesced in the desire of the Congolese leaders that complete independence should be granted to that country as quickly as possible, despite the insufficient political education of the Congolese people, it had been agreed that the administrative, judicial, technical, educational and military personnel would remain at the disposal and under the exclusive direction of the Congolese authorities, thus making it possible to bring about a gradual Africanization of the Congolese administration. That arrangement had found expression in article 250 of the *Loi fondamentale* of the Congo. Authority over those officials had been claimed by all the Congolese governments, beginning with that of Mr. Lumumba. Furthermore, the Republic of the Congo had the undeniable right to seek and receive such assistance as it deemed necessary. The Belgian technicians who had remained in the Congo or had returned there at the request of the Congolese authorities had never had the status of Belgian civil servants: they were Congolese civil servants.

In his *note verbale* the representative of Belgium listed the agreements made in July and August 1960 between the Belgian authorities and the United Nations in order to carry out the withdrawal of the Belgian troops. In that connexion he recalled that, as early as 13 July, the Belgian Government had informed the Secretary-General that it requested and hoped for United Nations military aid to collaborate in the protection of human life in the Congo, which had been the sole purpose of Belgian military intervention in that country. The speed with which the Belgian troops had been replaced by United Nations troops would never have been possible had it not been for the close co-ordination with the United Nations Command. It might well be asked, however, whether the Secretary-General had not repudiated the principle of collaboration and substituted for it a policy of eviction, since, in his letter of 8 October to Mr. Tshombe, he had referred to the need to "fully circumscribe the Belgian factor and eliminate it". It was no doubt the intention that Belgian aid to the Congo should pass through the United Nations, but the Belgian Government felt bound to point out that, to its knowledge, neither the United Nations nor the specialized agencies had recruited Belgian technicians, despite their specialized knowledge of the country.

As for the chapter in the Special Representative's report concerning the return of the Belgians to the Congo, it was a collection of contradictory impressions rather than of statements of fact. In any case, it was for the Congolese authorities to determine whether it was to their interest to retain, dismiss or recruit officials. In alleging that Belgian nationals were thwarting United Nations action, the Special Representative had adduced only vague facts and rumours which were impossible to verify. It was probable that tension had existed between representatives of the United Nations and Belgians, but there was no proof that the Belgians were entirely to blame for those tensions.

In conclusion, the representative of Belgium repeated his Government's proposal that a Belgian agent should be attached to the United Nations at Leopoldville with instructions to use his moral influence to forestall and allay conflicts and that a special envoy should be sent to New York to clear up any misunderstandings between the Secretary-General and the Belgian Government. In general, the Belgian Government and Belgian public opinion had been shocked by the tendentious judgements, the subjective interpretations and the ambiguous innuendoes appearing in the second progress report of the Special Representative.

10. Credentials of the representatives of the Republic of the Congo to the General Assembly

On 20 September the General Assembly decided to admit the Republic of the Congo (Leopoldville) to membership in the United Nations; the Assembly decided to refer the implementation of the resolution to the Credentials Committee in view of the obscurity of the constitutional and political position in the new State.

On 10 October the representative of Guinea submitted a draft resolution by which the General Assembly, considering rule 29 of the rules of procedure, would decide to seat the representatives of the Central Government of the Republic of the Congo (Leopoldville) immediately pending a decision on the report of the Credentials Committee. On 12 October the representatives of Ghana, Guinea and Morocco, who were joined later by the representatives of Ceylon, India and the United Arab Republic, submitted a revised text. On 28 October the sponsors of the revised draft resolution, who had in the meantime been joined by the representatives of Indonesia and Mali, submitted a second revised text of the draft resolution, under which the General Assembly, considering that respect for Congolese legality was an essential factor in enabling the institutions of the Republic of the Congo to function normally, would decide to seat the representatives of the Central Government pending the General Assembly's decision on the report of the Credentials Committee and would request the Secretary-General to take all necessary steps to promote, and to ensure the security of, a meeting of the Parliament as soon as possible.

In the meantime the President of the Republic of the Congo, in two cables, dated 14 and 21 October, addressed to the President of the General Assembly, protested against the proposal made by Ghana, Guinea and Morocco that representatives of Mr. Lumumba should be seated, since authority in the Congo was held by the Head of State and the Council of Commissioners-General and since Mr. Lumumba was no longer a Minister and had no authority to appoint representatives.

On 7 November the General Assembly, after a short exchange of views, decided to adjourn the meeting in view of the imminent arrival in New York of the President of the Republic of the Congo.

On the same date the representative of Ghana addressed to the Secretary-General a *note verbale* transmitting the text of several cables from the Embassy of Ghana at Leopoldville which reproduced the gist of statements made by the President of the Chamber of Representatives and the Deputy President of the Senate. In their statements these Congolese members of Parliament affirmed that the Chief of State had no right to leave the Congo without the prior authorization of the Parliament and that he was not entitled to address the United Nations in the name of the Congo; furthermore they requested that the Congo should be represented in the Assembly by a person appointed by the legal government of Mr. Lumumba, the only legitimate Government of the Congo.

In a letter dated 9 November, the President of the Republic of the Congo observed that it was surprising that the Embassy of a State accredited to the President of the Republic of the Congo should undertake to transmit to the members of the General Assembly documents attributed to the Presidents of the Chamber of Representatives and of the Senate of the Republic of the Congo. He also pointed out that under the *Loi fondamentale* the Chief of State is the competent authority to act on behalf of the Congo, in particular in the sphere of foreign relations, and further that rule 27 of the rules of procedure of the General Assembly was based on the general presumption of international law, which was also the rule of Congolese constitutional law, that the credentials of delegates must be issued either by the Head of the State or Government or by the Minister for Foreign Affairs. Moreover, in accordance with the *Loi fondamentale,* the act of the Chief of State had been countersigned by a Minister.

On 8 November the General Assembly resumed its examination of the situation in the Republic of the Congo; it had before it the second progress report of the Special Representative, with its annexes, the note from the representative of Ghana transmitting the messages received from the Congolese members of Parliament and the eight-Power draft resolution. At that meeting President Kasa-Vubu made a speech during which he informed the Assembly of the composition of the Congolese delegation, of which he was Chairman, and asked that their credentials should be examined immediately.

The representatives of Guinea, Poland and the USSR supported the eight-Power draft resolution and stated that the only legal Government of the Congo was that of which Mr. Lumumba was Prime Minister, since only he had received a vote of confidence from Parliament. They stressed the importance of an early meeting of Parliament with a view to restoring a normal situation and the reign of law in the Congo. The representatives of Poland and the USSR criticized Belgian activities in the Congo, which, they claimed, constituted the chief threat to the independence of the Congo.

The representative of Argentina pointed out that the resolutions of the Council regarding the withdrawal of Belgian troops were addressed to the Belgian Government and referred to armed forces under the orders of that Government. They did not cover the case of isolated individuals who, on their own account, might have enlisted for service under the orders of the Congolese Government. The Belgian Government could not be held responsible for something done by its nationals acting outside its jurisdiction. Furthermore, none of the resolutions so far adopted prohibited States from providing direct technical assistance to the Congo, though it was desirable that any aid should be channelled through the United Nations.

The question of the representation of the Congo in the United Nations had to be settled on the basis of international custom, under which the legitimacy which conferred the right to international recognition and to a seat in collective organizations was that based on effective and stable tenure of power and on the ability to fulfil international obligations. The logical conclusion of the contrary argument that a government was legitimate when it possessed a valid title under the domestic laws of the country would be that no revolutionary government—since by definition illegitimate—would ever be able to seat its representatives in the United Nations and that the international organizations would become veritable courts of appeal with the power to annul, or to withhold recognition of, domestic events in any State. Obviously Mr. Lumumba had ceased to exercise effective power; that was a fact which could not be denied.

The paragraph in the eight-Power draft resolution which requested the Secretary-General to take all necessary steps to promote a meeting of the Congolese Parliament exceeded the Secretary-General's mandate. All that he could do, in the discharge of his obligation to preserve law and order, was to give orders to the United Nations Force to ensure that if the Congolese Parliament wished to meet, no acts of violence should stand in its way, but the Assembly could not request the Secretary-General to promote such a meeting without changing his mandate into that of a kind of super-government.

The representative of Ghana moved the adjournment of the debate until the Conciliation Commission recently set up by the Advisory Committee, in consultation with the Secretary-General, had returned from the Congo, for which it was leaving shortly. The motion for adjournment was adopted by 48 votes to 30, with 18 abstentions.

On 9 and 10 November the Credentials Committee examined the credentials of the representatives appointed by the Congolese Chief of State.

Motions for the adjournment of the debate submitted by the Soviet Union and the United Arab Republic were rejected.

The Committee adopted by 6 votes to 1 (Morocco and the United Arab Republic not participating in the vote) a draft resolution submitted by the United States in which the Committee recommended that the Assembly should accept the credentials of the representatives of the Republic of the Congo granted by the Chief of State.

On 18 November the Assembly examined the first report of the Credentials Committee. Before the Chairman of that Committee had been able to submit his report, the representative of Ghana proposed the adjournment of the debate until such time as the Conciliation Commission had made its report. The representatives of Ethiopia and India supported the motion; the representatives of Cameroun and the Ivory Coast opposed it.

The motion for adjournment was rejected by 51 votes to 36, with 11 abstentions.

The representative of India recalled that on 8 November the Assembly had decided to adjourn the debate on the eight-Power draft resolution, the effect of which would have been to seat the representatives of the Central Government of the Congo immediately. Hence the debate on the report of the Credentials Committee, which referred to the same question, should also be adjourned *sine die,* unless the Assembly decided by a two-thirds majority to change its decision.

At the following meeting the President stated that in his view a two-thirds majority was not necessary to enable the Assembly to proceed with its debate on the first report of the Credentials Committee, since the Assembly's decision of 9 November had been to postpone its debate on the item "the situation in the Republic of the Congo", whereas its decision of 18 November related to the examination of the Committee's report.

The Assembly devoted its plenary meetings from 18 to 22 November to a debate on that report. The representative of Guinea submitted an amendment to the draft resolution put forward by the Credentials Committee. According to the revised text of that amendment the Assembly agreed to defer its decision on the credentials of the representatives of the Republic of the Congo.

A number of representatives, including those of Ghana, the Soviet Union, Romania, Guinea, Mali, Yugoslavia, Ceylon, Czechoslovakia, Poland, Ethiopia, Bulgaria, Cuba, Albania, the Ukrainian Soviet Socialist Republic, India, Iraq, the Byelorussian Soviet Socialist Republic and Indonesia, opposed the recommendation of the Credentials Committee on the grounds that its adoption would hamper the work of the Conciliation Commission, stiffen the uncompromising attitude of some of the Congolese leaders and create the impression that the United Nations sanctioned the Chief of Staff's *coup d'état.* They also pointed out that the delegations of Member States represented Governments rather than Heads of State, that the draft resolution ignored the fact that the legitimate Government of the Congo was the one headed by Mr. Lumumba, and that approval of the draft resolution would be an obstacle to an early return to legality in the Congo. These representatives affirmed that the question under discussion was political rather than legal and that the admission of delegates appointed by the Head of State would mean disregarding Parliament and would impede a solution of the problems of the Congo.

Other representatives, including those of Cameroun, the Congo (Brazzaville), Haiti, Nepal, Philippines and the United States, supported the recommendation of the Credentials Committee. They stressed that the problem of the credentials of the Congolese representatives had no connexion with the recognition of a government but related only to the legal question whether the credentials were in good and due form. According to the rules of procedure of the General Assembly, credentials issued by a Head of State were valid; the credentials in question had been issued by President Kasa-Vubu, who had been recognized as Head of State by the Assembly without any objections being raised. Therefore the United Nations was bound to approve without delay the credentials issued by President Kasa-Vubu and had no right to take a stand regarding the domestic affairs of a Member State. Unless the Head of the Congolese State was recognized and acknowledged as such by the United Nations, the Conciliation Commission could not hope to make any progress in its work, which required the co-operation of the Head of State. Lastly, there was a danger that any delay in the approval of the credentials might encourage opposition to the Head of State and place obstacles in the way of co-operation.

Some representatives stated that in view of the confused political and constitutional situation in the Congo and the fact that the United Nations must remain detached from any internal controversies in that country, they would abstain in the vote, since to take up an attitude in favour of any particular party would hamper the work of the Conciliation Commission. Other representatives stated that they would have preferred not to have to come to a decision about the recommendation of the Conciliation Commission but that they would be obliged to vote in favour if it were put to the vote. The representative of Nigeria stated that in view of the fact that he was Chairman of the Conciliation Commission he would not take part in the vote.

On 22 November it was twice proposed that the vote on the recommendation of the Credentials Committee should be adjourned. The representative of Ghana moved the adjournment until the Secretary-General had reported on the incidents which had occurred during the night of 21-22 November at the residence of the Ghanaian *Chargé d'affaires* at Leopoldville, during which shots had been exchanged between soldiers of the ANC and members of the United Nations Force who were guarding the house, some of whom had been killed.

The representatives of India and Yugoslavia supported the motion for adjournment, since they considered that the question of the attack on the United Nations should be given priority. The representatives of the United States and Cameroun opposed the motion on the grounds that the incidents had been caused by the refusal of the Ghanaian officials to comply with an order of expulsion issued by the Head of the State, that the incidents were not connected with the question under discussion and that the approval of the report of the Credentials Committee would help to restore calm and peace in the Congo. The motion for adjournment was rejected by 50 votes to 34, with 13 abstentions.

In the afternoon of 22 November the representative of Mali submitted a motion for the adjournment of the meeting until a letter addressed to the Secretary-General in his capacity as Chairman of the Advisory Committee by the President of the Republic of the Congo had been submitted to the General Assembly. The Secretary-General had stated that he could not transmit the letter, which formed part of an exchange of correspondence, to the General Assembly until he had submitted it to the Advisory Committee, for which it was intended. The motion for adjournment was rejected by 47 votes to 32, with 16 abstentions.

The Assembly next voted on the Guinean amendment to the recommendation of the Credentials Committee. In a roll-call vote, the amendment was rejected by 50 votes to 32, with 14 abstentions.

On 23 November the recommendation was approved by 53 votes to 24, with 19 abstentions.

The representatives of Guinea and Mali announced that as a consequence of those decisions their Governments would cease to be members of the Conciliation Commission.

In communications dated 27 November and 3 December, the Presidents of Ghana and Mali expressed the opinion that the decision to recognize the credentials issued by the Head of the Congolese State implied recognition of the Parliament which had elected the Head of State and hence of the Lumumba government, which had also been approved by Parliament. Redoubled efforts should be made to ensure that Parliament resumed its work.

11. Establishment of the Conciliation Commission for the Congo

On 5 November the Advisory Committee appointed by the Secretary-General established, in consultation with him, on the basis of General Assembly resolution 1474 (ES-IV) of 20 September, a Conciliation Commission for the Congo consisting of representatives of Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Liberia, Mali, Morocco, Nigeria, Pakistan, Senegal, Sudan, Tunisia and the United Arab Republic. The Commission's terms of reference were to study the situation and to direct its efforts, without interference in the internal affairs of the Congo, towards the attainment by the Congolese of solutions of present difficulties in the Congo which would be conducive to the maintenance and strengthening of the unity, territorial integrity and political independence of the Republic, within the framework of the constitutional and legal structure of the Republic and of General Assembly resolution 1474 (ES-IV). In particular, the Commission was to endeavour to assist in decisions being reached with a view to the speedy restoration of parliamentary institutions in the Congo.

The Commission held its first meeting in New York on 17 November and elected its officers. Mr. Jaja Wachuku (Nigeria) was elected Chairman. The Commission decided to meet at Leopoldville on 26 November.

In a letter dated 15 November to the Special Representative, the President of the Republic of the Congo stressed that the terms of reference of the Advisory Committee and of its subsidiary bodies as laid down in General Assembly resolution 1474 (ES-IV) consisted of lending its good offices while at the same time respecting the political independence of the Congo. The dispatch of a Conciliation Commission with such a mandate to the territory of a Member State without its prior agreement would constitute a dangerous precedent. Moreover, Congolese public opinion would have difficulty in understanding how any effective conciliatory role could be played by the representatives of Governments which had publicly taken a stand on problems of Congolese internal policy. On the other hand, the Republic of the Congo was ready to participate in consultations on the study and implementation of any proposals designed to promote national understanding through the good offices of African Chiefs of State, with a view to preserving the unity, territorial integrity and political independence of the Congo and to assist its Government to maintain public order.

In his reply of 17 November, the Special Representative stated that it was the intention of the Commission to undertake its task in close collaboration with the lawful institutions of the Congo, without any derogation of their authority and without attempting to impose any solution. He said that the members of the Commission would function in their individual capacity and would not be subject to any directions from their Governments in respect of their responsibilities as members of the Commission.

The President of the Republic of the Congo asked that, in view of the tension existing in the Congo, he might be given time to prepare the Congolese people to co-operate with the Commission. The Advisory Committee therefore decided on 23 November to postpone the date of the Commission's departure.

Meanwhile, Guinea, Indonesia, Mali and the United Arab Republic having decided to withdraw from the Commission, the number of members was reduced from fifteen to eleven.

In a cable dated 3 December, the President of the Republic of Guinea informed the Secretary-General that the diplomatic missions of the United Arab Republic and Ghana had been subjected to arbitrary measures of expulsion from Congolese territory, accused the United Nations representatives of unpardonable indifference and urged that the missions which had been thus flouted should be reinstated.

On 19 December the officers of the Commission arrived as an advance party at Leopoldville to make preparations for the arrival of the Commission. After several meetings with President Kasa-Vubu, it was agreed that the Commission could arrive in the Congo on 3 January 1961.

12. Meetings of the Security Council held from 7 to 13 December 1960

On 5 December the Secretary-General transmitted to the members of the Security Council a report from his Special Representative regarding certain actions taken against Mr. Lumumba, together with two messages the Secretary-General had sent to Mr. Kasa-Vubu on the subject. During the night of 27-28 November Mr. Lumumba, whose residence was guarded by United Nations troops and encircled by ANC troops, had escaped. On 1 December the Congolese authorities stated that he had been arrested by the ANC at Bulonga; he was taken to Leopoldville on 2 December and on 3 December he was conducted to Camp Hardy, at Thysville, for detention there. Press and radio reports indicated that at the time of his arrest and transfer Mr. Lumumba had been brutally manhandled and beaten by the ANC soldiers. Two other members of Parliament who had accompanied him had been arrested also, as had Mr. Okito, Vice-President of the Senate.

The Special Representative pointed out that the purpose of the United Nations guard posted at the residences of President Kasa-Vubu, Mr. Lumumba and other Congolese functionaries, at their own request, had always been to protect the safety of the persons or government property within and that the United Nations had never had police responsibilities, nor had it assumed responsibility for confining Mr. Lumumba to his quarters.

In his letters, dated 3 and 5 December, to President Kasa-Vubu, the Secretary-General said that a great number of delegations had approached him expressing their grave concern about the arrest and detention of Mr. Lumumba. He had considered it his duty to inform President Kasa-Vubu of the views of those delegations, which felt that action taken against Mr. Lumumba outside the framework of due process of law would seriously jeopardize the international prestige of the Congo and would be a serious blow to the principles that should be upheld by the United Nations and its Members. The Secretary-General pointed out, among other things, that Mr. Lumumba and others who had recently been seized were members of one or the other chamber of Parliament. In view of the importance of the principle of parliamentary immunity, world public opinion would be certain to give that point great attention. The Secretary-General asked that the International Red Cross should be allowed to examine the detained persons and their places and conditions of detention and to obtain the necessary assurances for their safety. He also referred to the general principles of law and to the principles of the Charter concerning respect for human rights and for fundamental freedoms for all; he recalled the rules that were generally applied in connexion with warrants for arrest, the detention of accused persons and the rights of defence.

In his reply of 7 December President Kasa-Vubu expressed surprise at the importance that a number of Afro-Asian and East European delegations attached to the arrest of Mr. Lumumba, since the latter had been under a warrant of arrest since September 1960 for a number of flagrant and serious offences: usurpation of public powers, assaults on individual freedom accompanied by physical torture, attacks against the security of the State, organization of hostile bands for purposes of massacre and pillage, and inciting soldiers to commit offences. He also pointed out that the sole purpose of Mr. Lumumba's jaunt had been to rejoin his partisans at Stanleyville and to set up a separate government there whose course of action had already been indicated, even in his absence: arrests and expulsion of Europeans, imprisonment of political opponents, accompanied by torture and brutality, and suppression of all individual liberty and of the public liberties. President Kasa-Vubu declared that his country would abide by the provisions of the Charter and that the trial of Mr. Lumumba would be conducted in accordance with the rules in force in civilized countries. He pointed out that the inopportune nature of the outside intervention in favour of Mr. Lumumba would only make it very difficult to ensure that the proceedings took place in regular form.

On 6 December the representative of the Soviet Union transmitted a statement by the Government of his country in which the latter accused the Belgian, United States, Portuguese, Katangese and French colonialists of driving out the leaders of the Congolese State and the political leaders of the Congolese people by force and replacing them by hirelings of their own like Mobutu and Tshombe. In that task, it said, the colonialists were working under the protection of the United Nations Command and the official representatives of the Secretary-General. The United Nations should take the following decisive steps without delay: it should immediately liberate Mr. Lumumba and the Ministers and members of Parliament who were under arrest, so that the lawful Government and Parliament could resume activities; it should disarm forthwith Mobutu's bands of terrorists, establish a special commission of Afro-Asian representatives to investigate the sources from which Mobutu's men were being financed and supplied with arms, and remove all Belgian troops and officials from the Congo. The Soviet Government further proposed that the question of the situation in the Republic of the Congo and the steps to be taken on the matter should be examined at the earliest possible date by the Security Council and the General Assembly.

The Security Council examined the question at meetings held from 7 to 13 December.

On 7 December President Kasa-Vubu sent a telegram to the Secretary-General in which he pointed out that, in deciding to provide such protection for Mr. Lumumba as virtually to shield him from prosecution lawfully initiated against him, the United Nations could not now evade responsibility for the consequences of his escape.

While the discussion was in progress in the Council, the Governments of Ceylon, Guinea, Indonesia, the United Arab Republic and Yugoslavia indicated either their decision or their desire to withdraw their troops from the Congo because they did not agree with the policy that was being followed for the implementation of the Council and General Assembly resolutions. The Government of Morocco announced its intention of holding consultations with other African States with a view to adopting a common position on the subject.

On 9 December the Secretary-General transmitted to the members of the Council a report from his Special Representative on the serious situation that had arisen at Stanleyville as a result of the arrest of Mr. Lumumba. The authorities of the Province had threatened to take reprisals against the Belgian residents of Orientale Province if Mr. Lumumba was not released within forty-eight hours. Meanwhile some Belgians had already been arrested and manhandled, while at the same time they were forbidden to leave the Province. The United Nations representatives had protested against these measures and had made arrangements to protect the European population.

The Secretary-General made several statements on the interpretation of his mandate and the way in which he had carried it out, and concerning the criticisms that had been levelled against him. He pointed out, among other things, that the initial aim of the United Nations had been to protect human life and property within the Congo, in order to eliminate the reasons given for the Belgian military intervention and to reduce what had to be regarded as a threat to peace. In the pursuit of that aim the United Nations had had to maintain a position of strict neutrality. There had been no shifts in policy and no deviation from its principles, nor had servility been shown to any interest. Obviously those who found that such a line of conduct obstructed them in the pursuit of their own objectives had not failed to criticize the activities of the United Nations. In that connexion the Secretary-General expressed his grave concern at the way in which the United Nations had been abused in words, and abused as an instrument for purposes contrary to the Charter.

Reviewing the various phases of United Nations action in the Congo, the Secretary-General repeatedly drew attention to the precise terms of the mandate of the United Nations Force, as laid down in the Council resolution of 14 July. Although that resolution had not specifically stated that the Force was to maintain law and order, it was clear from the context that that would be its essential function. At the initial stage, which had been characterized by the progressive withdrawal of the Belgian troops, the United Nations had not concerned itself with the constitutional issues or political institutions of the Congo. It had been made clear at that time that the Force could not take any action that would make it a party to internal conflict in the country.

After the adoption of the Council's first two resolutions, the internal conflicts and political rivalry had increased; competing political groups had asked the Force to take action in their favour, on the basis of constitutional provisions. The United Nations, which could not become involved in coercive action against political factions without violating Article 2 of the Charter, had exercised its military power to protect political leaders of various factions from outright violence; it had also protected all major installations vital to the maintenance of minimum civilian activities, as well as those installations which were vital to the security both of the Congolese and of the United Nations.

On the one hand, the United Nations had been accused of not intervening in internal conflicts of a constitutional nature and of not creating a stable government within the framework of the constitution—measures that would have represented infringements of the sovereignty of a Member State. Others had tried to discredit the United Nations by innuendos to the effect that it was trying to do something which in fact it had no desire to do: namely, to establish some kind of international trusteeship in the Congo. In particular, it had been said that it was the duty of the United Nations and of the Secretary-General to liberate Mr. Lumumba; yet any use of force for the purpose of liberating Mr. Lumumba would have meant overriding the authority of the Chief of State, who had certainly endorsed the warrant for his arrest. The same applied to the demand that Colonel Mobutu's "illegal armies" should be disarmed by force: in the case in point it was a matter of the Congolese National Army, under the supreme authority of the Chief of State, who was actually one of the two signatories of the initial request made to the United Nations on which the United Nations action was based.

Through combined military and diplomatic efforts, the United Nations had, during that difficult period characterized by wide-spread political breakdown, intense political rivalry and tribal conflicts, achieved a pacification which was far preferable to repression and it had laid a very valuable foundation for technical assistance to the Congo. Hence it was not possible to speak of a failure of that phase of the United Nations operation, which had been conducted in a new framework, different from that in which it had successfully carried out its first objective, namely the evacuation of the Belgian troops and the restoration of law and order.

Developments had shown, however, that the means available to the United Nations had been insufficient for the creation of a stable political life in the Congo. It was now a matter of determining what were the true functions of the United Nations in the changed situation. The situation with regard to the *cadres* of the ANC was not very different from what it had been at the time of the July crisis; the need for reorganization which had existed then had not disappeared. Similarly, it was still necessary to maintain the United Nations military presence in order to avoid anarchy, which would make the technical assistance activities and normal political leadership impossible. If the United Nations Force were withdrawn, everything would crumble, unless denationalized multilateral assistance were replaced by bilateral assistance, with all that that meant. The Force should not be withdrawn until it could leave to the people of the Congo a legacy of order with which they could maintain a peaceful life.

In a later statement the Secretary-General spoke of his approaches to the Belgian Government and to Mr. Tshombe with a view to the elimination of the Belgian political element in Katanga and a change-over from the bilateral assistance given by Belgium. He had been accused of not having gone far enough in that direction: but did the United Nations possess the necessary funds to insist on the withdrawal of technicians provided on a bilateral basis to meet essential needs, and to replace them? With regard to the Belgian Government's offer to send a special envoy to the Secretary-General, he did not see how he could consider that suggestion unless the Belgian Government recognized its responsibility for the return of its nationals to the Congo. If it did not, and if the Belgians returning to the Congo did so on the basis of individual arrangements, the question of their return must be discussed between the representatives of the United Nations and the Congolese authorities, not with the Belgian Government.

The Secretary-General referred also to the legal framework within which the United Nations action in the Congo must be conducted. The Council had never invoked Articles 41 and 42 of the Charter, which provided for enforcement measures and would override the domestic jurisdiction limitation of Article 2 (7). The reference to Articles 25 and 49 in the resolution of 9 August was certainly not the same thing as invoking enforcement measures. The Secretary-General's view was that the Council's resolutions could be regarded as implicitly adopted under Article 40 and as based on an implicit finding under Article 39, but neither the Council nor the Assembly had ever supported that interpretation, much less endorsed it explicitly. In the absence of an explicit authorization to resort to enforcement measures, the Secretary-General could only make use of the diplomatic means at his disposal in order to achieve results in line with the resolutions of the Council. While it was true that the changes in the situation should entail some modification of the steps to be taken, it was essential that the principles upon which United Nations action was based must remain inviolate although that action itself should reflect those principles in terms of the existing situation.

The Secretary-General asked the Council to clarify the terms of his mandate if it was the intention of the Council to extend it, bearing in mind, however, the limits placed by the Charter on the authority of the Council.

There were three draft resolutions before the Security Council. Under the first, submitted by Argentina, Italy, the United Kingdom and the United States, the Council would (1) declare that any violation of human rights in the Republic of the Congo was inconsistent with the purposes that guide the United Nations and expect that no measures contrary to recognized rules of law and order would be taken by anyone against any persons held prisoner or under arrest anywhere in the Republic of the Congo; (2) express the hope that the International Committee of the Red Cross would be allowed to examine detained persons throughout the Republic of the Congo and their places and conditions of detention and otherwise to obtain the necessary assurances for their safety; (3) request the Secretary-General to continue his efforts to assist the Republic of the Congo in the restoration of law and order throughout its territory and in adopting all necessary measures tending to safeguard civil and human rights for all persons within the country.

Under the second draft resolution, which was submitted by the Soviet Union, the Security Council would: (1) call upon the Secretary-General of the United Nations to secure the immediate release of Mr. Patrice Lumumba, Prime Minister of the Republic of the Congo, Mr. Okito, President of the Senate, Mr. Kasongo, President of the Chamber of Deputies, and other Ministers and deputies and, at the same time, to take all the necessary steps to ensure the resumption of the activities of the lawful Government and Parliament of the Republic of the Congo; (2) request the Command of the troops dispatched to the Congo by decision of the Security Council immediately to disarm the terrorist bands of Mobutu; (3) call upon the Government of Belgium, in accordance with the decision of the Security Council and the special emergency session of the General Assembly, immediately to withdraw Belgian military, para-military and civil personnel from the Congo.

In accordance with the third draft resolution, submitted by Poland, the Council would: (1) request the Secretary-General to undertake necessary measures in order to obtain the immediate release of Mr. Lumumba and of all persons who were then under arrest or detention despite their parliamentary immunity; (2) request the Secretary-General to inform the Security Council as soon as possible on the measures taken and the results thereof.

In addition, the Soviet Union submitted amendments to the four-Power draft resolution, in accordance with which the Security Council would, *inter alia,* request that the Command of the armed forces, sent to the Congo in accordance with the Security Council's decision, should: (1) take energetic action to ensure the immediate cessation of the criminal violation of law and order in the country by Mobutu's armed bands; (2) take immediate steps to disarm and disperse Mobutu's bands, thereby creating the essential conditions for the restoration of law and order in the country.

During the night of 13-14 December the various draft resolutions and amendments were put to the vote. The Soviet amendments were rejected.

The Security Council next voted on the four-Power draft resolution, which obtained 7 votes in favour, 3 against (Ceylon, Poland, USSR) and 1 abstention (Tunisia) and was not adopted, one of the negative votes being that of a permanent member of the Council.

The USSR draft resolution was rejected by 8 votes to 2 (Poland, USSR), with 1 abstention (Ceylon).

The Polish draft resolution was rejected by 6 votes to 3 (Ceylon, Poland, USSR) with 2 abstentions (Argentina, Tunisia).

In the meantime, the Secretary-General drew the attention of the Council and the Assembly to the fact that on 13 December the ANC had entered the base at Kitona despite the protests of the United Nations representatives. The Secretary-General and his Special Representative had notified President Kasa-Vubu that the entry of the ANC must be regarded as flagrant interference with the instructions to administer the base given to the Secretary-General by the Security Council. Until such time as the parties concerned agreed on the disposal of the bases, the United Nations must as a provisional measure, in the sense of Article 40 of the Charter, exercise exclusive authority as caretaker for all the interests involved.

The Government of the Republic of the Congo was legally bound by the Council's resolution of 9 August, which expressly referred to Articles 25 and 49 of the Charter, thus underlining the obligatory character of the decisions adopted by that body and, by clear implication, of the measures taken pursuant to its decisions by the Secretary-General. The Government of the Republic of the Congo had specifically agreed to respect the mandate of the United Nations Force and to accord it all necessary facilities to carry out its mandate. The Secretary-General requested the President immediately to take steps to restore the legal position of the United Nations.

13. Fifteenth session of the General Assembly (16 to 20 December 1960)

On 16 and 17 December respectively the Secretary-General issued the texts of an address by the President of Ghana and of a letter which President Nkrumah had written to him. President Nkrumah said that the ineffectiveness of the existing United Nations Command had been clearly demonstrated by the trend of events and by the fact that the United Nations had slowly but surely lost the initiative in its task of restoring and maintaining law and order. What was above all necessary was to eliminate the Congolese Army from politics; to effect that, the military leadership of the United Nations forces would have to be taken over by Commanders possessing experience, judgement and firmness.

The President of Ghana also considered that the United Nations should intervene immediately in the Congo to restore law and order by force. To that end, he requested among other things that the "Mobutu gang" and all other non-United Nations forces should be disarmed and eliminated from politics; that Mr. Lumumba, the members of his Government and members of Parliament who were under arrest should be immediately and unconditionally released; that the legitimate Government and the Congolese Parliament should resume their functions; that all Belgian military personnel and officials in the Congo should be evacuated immediately; and that the United Nations should assume authority, as a temporary measure, for internal affairs in order to enable law and order to be restored.

In the event of the United Nations failing to comply with those proposals, the President of Ghana would secure, with the assistance of the other African States, the establishment of an African High Command to restore law and order in the Congo so that the legal Government of Mr. Lumumba might operate.

On 16 December the General Assembly resumed its consideration of the situation in the Congo. The same day, the representatives of Ceylon, Ghana, India, Indonesia, Iraq, Morocco, the United Arab Republic and Yugoslavia introduced a draft resolution, an amended version of which was issued on 19 December. By this proposal, the General Assembly would (1) consider that the United Nations should restore and maintain law and order and the inviolability of persons, including United Nations and diplomatic personnel and property, in accordance with the Charter, and take urgent measures to assist the people of the Congo in meeting their most pressing economic needs; (2) urge the immediate release of all political prisoners under detention, more particularly members of the Central Government of the

Congo and officials of Parliament and others enjoying parliamentary immunity; (3) urge the immediate convening of Parliament and the taking of necessary protective measures thereto by the United Nations, including custodial duties; (4) urge that measures be undertaken forthwith to prevent armed units and personnel in the Congo from any interference in the political life of the country as well as from obtaining any material or other support from abroad; (5) draw the attention of the Government of Belgium to its grave responsibilities in disregarding the resolutions of the United Nations; (6) demand that all Belgian military and quasi-military personnel, advisers and technicians be immediately withdrawn; (7) decide that a Standing Delegation be appointed by the General Assembly and representing it which should function in full co-operation with the United Nations Special Representative; (8) recommend that all necessary economic and technical assistance should be afforded to the Congo through the United Nations by Member States promptly so that such assistance be not used as an instrument or a channel for continuing foreign intervention.

On 17 December the representatives of the United Kingdom and the United States submitted a draft resolution by the terms of which the General Assembly would (1) request the Secretary-General to continue to discharge the mandate entrusted to him by the United Nations in accordance with the resolutions of the Security Council and the General Assembly and to continue to use the presence and the machinery of the United Nations to assist the Republic of the Congo in the restoration and maintenance of law and order throughout its territory; (2) further request the Secretary-General to continue his vigorous efforts to ensure that no foreign military or para-military personnel were introduced into the Congo or were in the Congo in violation of the pertinent resolutions of the Security Council and resolution 1474 (ES-IV) of the General Assembly; (3) call upon all States to refrain from the direct and indirect provision of arms or other materials of war and military personnel and other assistance for military purposes in the Congo during the temporary period of military assistance through the United Nations, except upon the request of the United Nations through the Secretary-General for carrying out the purposes of the resolution in question and the previous resolutions of the General Assembly and the Security Council and also to refrain from direct or indirect measures that might facilitate such action on the part of others; (4) request the Secretary-General to do everything possible to assist the Chief of State of the Republic of the Congo in establishing conditions in which Parliament could meet and function in security and freedom from outside interference; (5) declare that any violation of human rights in the Republic of the Congo was inconsistent with the purposes that guided the United Nations action in the Congo and expect that no measures contrary to recognized rules of law and order would be taken by anyone against persons held prisoner or under arrest anywhere in the Republic of the Congo, and request the Secretary-General to continue his efforts to assist the Republic of the Congo in ensuring respect for those rules and for civil and human rights for all persons within the country; (6) express the hope that the International Committee of the Red Cross would be allowed to examine detained persons throughout the Republic of the Congo and their places and conditions of detention and otherwise to obtain the necessary assurances for their safety; (7) express the hope that the forthcoming Round-Table Conference to be convened by the Chief of State and the forthcoming visit for the purpose of conciliation to the Republic of the Congo by certain representatives appointed by the Advisory Committee would help to resolve internal conflicts by peaceful means and to preserve the unity and integrity of the Congo.

The duties and the mandate of the United Nations Command in the Congo and more especially those of the Secretary-General continued to be in the forefront of the debate in the General Assembly.

The sponsors of the eight-Power draft resolution and those representatives who supported it emphasized that the United Nations should act with the utmost dispatch, in view of the suppression of Congolese institutions and the processes of government, the collapse of the country's economy and the risk that all activities in the country would come to a stop. They also insisted on the need for a complete withdrawal at the earliest possible moment of all the supporters of Belgian intervention in the Congo and recommended that the United Nations should refuse to give any recognition, whether direct or indirect, to the secessionist movement in Katanga, which was inspired from abroad.

In particular, the representative of Ghana stated that his country and other African States had supported United Nations action in the Congo because they were afraid that, unless the United Nations intervened, the Congo would be plunged into a war in which each of the two blocs would support the party of its choice. In his opinion the United Nations should assume full responsibility for law and order throughout the Congo.

The representative of India asked how it was possible to reconcile the statement that force could not be used in the Congo with the fact that the United Nations had sent 20,000 troops there. It was true that the United Nations had not sent in an invading army, but the use of force had proved to be necessary; he went on to refer to instances where, according to him, the United Nations had in fact resorted to force. Generally speaking, those representatives who supported the eight-Power draft resolution took the view that the withdrawal of the United Nations from the Congo would have serious consequences and that the General Assembly should act in such a way as to enable the Organization to carry out its functions efficiently in the Congo, to permit the lawful Government and Parliament to resume their labours and to ensure that the Congolese armed forces ceased to play a part in politics. They considered that the mandate given to the Secretary-General was sufficient but that, in the light of the changes in the situation, it should be interpreted more widely and enforced more completely than it had been in the past. They criticized the two-Power draft resolution because, in their view, it made no reference to the fact that the Congolese Chief of State had delayed the arrival of the Conciliation Commission, had opposed the convening of Parliament, and was an interested party in the political disputes. In short, they could not agree to that draft resolution because it accepted the *fait accompli* in the Congo.

The sponsors of the two-Power draft resolution, as also the representatives who supported it, maintained that that proposal went as far as was consistent with the Charter and was imbued with a spirit of conciliation. They commended the action taken by the United

Nations and paid a tribute to the Secretary-General. It was true that his mandate was of a limited character, but he had faithfully carried it out with integrity and firmness. The Canadian representative observed that the real difficulty was not that the mandate had not been implemented as fully as circumstances allowed but that it had not been possible to reach agreement on a definition of the mandate other than as interpreted by the Secretary-General and implicitly endorsed by both the Security Council and the General Assembly. The representatives in question criticized the eight-Power draft resolution because, they claimed, it went beyond the powers of the United Nations and because there was a danger that it might give rise to a kind of United Nations trusteeship over the Congo. By proposing the establishment of a Standing Delegation to represent the General Assembly in the Congo, which was to function in co-operation with the United Nations Special Representative there, the eight-Power draft resolution would create a situation in which responsibilities and energies would be divided, thus hampering rather than assisting the Secretary-General and his Special Representative. The proposals that the United Nations should call for the release of certain political prisoners, the disarming of the ANC, the convocation of Parliament and the reactivation of what was called the lawful government were all instances of interference in internal Congolese disputes of a constitutional nature and were outside the legal competence of the United Nations. The United Nations Force should continue to act in the Congo within the limits of its mandate, which ruled out recourse to enforcement measures or intervention in the domestic affairs of the country. If general agreement could be reached on the aims to be pursued by the United Nations—such as the supremacy of the civil authority over the military authority, the restoration of a constitutional government and respect for due legal process—the means used to achieve those ends should continue to be within the framework of the provisions of the Charter. Of course, the United Nations could and should urge on the Congolese authorities the need to ensure that all those detained were treated in accordance with generally recognized rules of law and were brought to fair and open trial with a minimum of delay. The representatives in question also expressed the view that the withdrawal of the United Nations Force would have disastrous results and would be followed by the direct intervention of contending forces from outside.

The representatives of the Soviet Union and of other States criticized the Secretary-General for having in fact recognized the illegal military régime set up at Leopoldville and asserted that the United Nations operations in the Congo had failed. They stressed the need for the United Nations to place all its physical and moral strength behind the lawful government of Mr. Lumumba and the Congolese Parliament and to ensure the withdrawal of Belgian personnel, the disarmament of Mobutu's gangs and the release of Mr. Lumumba and his fellow prisoners. The USSR representative brought up the question of whether the time had not come to remove the command of the United Nations Force in the Congo from the Secretary-General and place it in the hands of the representatives of those countries which would enjoy the confidence of the Congolese people and of all the countries that were interested in seeing the neo-colonialists—whose cause was championed by the Secretary-General—driven out of the Congo. He suggested the establishment of an observation commission consisting of Afro-Asian States to supervise the activities of the Secretary-General and the United Nations Command, to investigate the origin of the foreign assistance given to Colonel Mobutu and to report directly to the Security Council and the General Assembly.

Several representatives stated that, although they approved of the aims of the eight-Power draft resolution and of some of its provisions, they felt that there were other provisions in it which went beyond the Secretary-General's present mandate. Some representatives, including those of Cameroun and Chad, took the view that nothing would be gained by adopting a new resolution on the Congo, while the representatives of Sweden and Finland thought that, if no resolution acceptable to all Members could be agreed upon, it would be better to conclude the debate without adopting any resolution.

The representative of the Congo (Leopoldville) stated that his country could not allow any interference in the domestic affairs of his country.

The representative of Belgium said that, had it not been for the presence of Belgian technicians, it would have been impossible to maintain in the Congo a minimum of public and private services, that the Congolese authorities had the right to employ Belgian civilians and that no Belgian military personnel remained in the Congo, apart from a few technicians who have been retained by the United Nations and a certain number of former members of the *Force publique* who had remained at their posts on a individual basis.

The Secretary-General recalled that the aim of the United Nations had always been to establish stable and peaceful political conditions in the Congo and to safeguard its territorial integrity and its sovereignty. Unfortunately, there were some who seemed to have acted in such a way as to endanger the possibilities of achieving that aim. It might well be wondered whether those who acted in that way had done so wilfully in order to achieve aims of their own. The campaign of disparagement conducted against the Secretariat gave the impression that the intention was to achieve by that means the result sought by certain people, namely a radical change in the administrative structure of the Organization.

Referring to his mandate and to the means given to him for carrying it out, the Secretary-General recalled that the United Nations Force, one of the main instruments provided to achieve the objective of the Organization, had been set up by the Security Council without explicit reference to Articles 39 or 40 of the Charter and, *a fortiori*, without basing itself on Articles 41 or 42. Moreover, the Security Council, from the very beginning of the operation, had approved the principle that the Force was not entitled to take military action unless in self-defence or to protect life and property, and that it could not be used as an instrument for solving domestic problems. In the discussions which had taken place shortly afterwards, there had been a tendency to confuse the aim with the mandate and to re-interpret the question of the means in terms of the mandate when viewed in that light, irrespective of legal considerations. Despite that tendency, he had not asked for a widening of his mandate or for new means to be placed at his disposal, since he had thought it preferable to re-establish the political structure of the Congo by the normal political and diplomatic means of persuasion and advice rather than by the use of force. The problems presented by various forms of foreign intervention and by United Nations support to the ANC should also be settled on a political level and by political means. A solution for those two problems, especially the second, was vital to the future of the United Nations Force. The United Nations had not the right to break the individual contracts of technicians engaged outside the framework of United Nations technical assistance or to use military means for the arrest and deportation of individuals unless it was directly requested to do so by the authorities, which alone were entitled to take such actions.

The Secretary-General had confined himself to asking the Council to do away with the ambiguities which had arisen during the discussion with regard to the scope of his mandate. In that connexion, he had felt it necessary to make two suggestions. In the first place, if the Council felt that the mandate should be widened, it should do so by clarifying its terms and by providing the means corresponding to the mandate, within the limits set by the Charter. Secondly, the General Assembly and the Security Council should, in an appropriate form, share in the day-to-day responsibility for carrying out the mandate and in the decisions on the use of the means.

His comments on the usefulness of a wider mandate or on new means did not imply a negative attitude on his part towards any decisions that might be taken by the General Assembly, from the moral and political point of view, to strengthen the hand of its representatives in their efforts to achieve the objective of the United Nations by peaceful and legal means. Among the problems mentioned by the Secretary-General, to the solution of which such efforts might be addressed, were a return to constitutionality and national reconciliation. To achieve those aims, the United Nations should exercise its influence in favour of the restoration of Parliament and the reduction of the army to its constitutional place as an instrument subordinate to the national executive.

On 20 December, the General Assembly rejected the eight-Power draft resolution by 42 votes to 28, with 27 abstentions. In the case of the two-Power draft resolution, there were 43 votes in favour and 22 votes against, with 32 abstentions; it was therefore also not adopted since it had not obtained the necessary two-thirds majority. The General Assembly then adopted, without objection, an Austrian proposal whereby the General Assembly, noting that the previous resolutions of the Security Council and the General Assembly on the subject of the Congo were still in effect, decided to keep that item on the agenda of its resumed fifteenth session (resolution 1592 (XV)).

14. Meetings of the Security Council held from 12 to 14 January 1961

In the course of December 1960 Mr. Gizenga, Vice-Prime Minister in the Lumumba government, announced that in the absence of Mr. Lumumba he was the head of the legitimate Government and that the capital of the Congo had been transferred to Stanleyville.

On 20 December the Secretary-General announced that General Sean MacEoin, of Ireland, had been appointed Commander of the United Nations Force.

On 21 December the Yugoslav delegation informed the Secretary-General that its Government had urged the United Nations Command to take all the necessary steps forthwith to arrange for the rapid withdrawal of the Yugoslav technical personnel.

On 1 and 6 January 1961 the Secretary-General circulated the text of the communications exchanged between himself and the representative of Belgium, as also the text of two reports by his Special Representative on the incidents that had occurred at Bukavu on 25 December 1960 and 1 January 1961.

On 25 December 1960 sixty Congolese soldiers arrived at Bukavu (Kivu) from Stanleyville. After a conference with the local authorities, during which the Commander of the United Nations Force was informed that ONUC protection was not desired, it was announced that the President of the Province, the local Commander of the ANC and three Ministers had been arrested and taken to Stanleyville. Following these events, President Kasa-Vubu applied to the Belgian authorities on 29 December for permission to use the airport at Usumbura (Ruanda-Urundi) to transport some ANC contingents to Kivu Province. On 30 December the Secretary-General drew the attention of the Permanent Representative of Belgium to the serious nature of the problem, in view of the status of the Trust Territory and the provisions of paragraph 6 of General Assembly resolution 1474 (ES-IV), and expressed his conviction that authorization would not be granted. On 31 December the authorities in Ruanda-Urundi stated that no such landing would be permitted. Nevertheless, according to the Special Representative, troops of Colonel Mobutu, numbering about a hundred, arrived at Usumbura by air that morning and were transported by lorry to a point near the Ruzizi bridge—a distance of 145 kilometres—instead of to the nearest point of access to the Congo, about twenty-one kilometres from Usumbura. The Permanent Representative of Belgium stated that his Government had not learned of the request made by President Kasa-Vubu until the very moment when it had been informed of the landing of a contingent of the ANC at Usumbura. Since the action in question had already been taken, it had instructed the Resident-General of Ruanda-Urundi to see that the contingent left immediately for the Congolese national frontier. On 1 January 1961 some hundred soldiers from Leopoldville apparently penetrated into Bukavu across the Ruzizi bridge. The garrison at Bukavu took sixty of them prisoner and repulsed the others.

The Secretary-General protested against the assistance that had been given, for military purposes, for the transport of a contingent of the Leopoldville ANC, through facilities in a Trust Territory administered by Belgium. The conclusion he was compelled to draw was that the authorities of the Administering Power in the Trust Territory had failed to take action to ensure that the Congolese troops did not carry out a military operation through the Trust Territory. He called upon the Belgian Government to take immediate and effective measures to prevent any utilization of the Trust Territory for non-peaceful purposes. According to the Special Representative, one of the immediate effects of the Bukavu incident had been a renewal of anti-European feelings within the ANC in Kivu.

On 2 January Mr. Kashamura, a Minister in the Lumumba government, arrived at Bukavu from Stanleyville and began to reactivate the local administration, which had collapsed after the disappearance, abduction or flight of most of the members of the provincial government.

On 7 January the USSR representative asked for a meeting of the Security Council to examine the serious threat to peace and security created as a result of the fresh acts of Belgian aggression against the Congo and the violation of the international status of the Trust Territory of Ruanda-Urundi.

On 11 January the representative of Belgium informed the Secretary-General that in the opinion of his Government the Belgian authorities had not contravened General Assembly resolution 1474 (ES-IV) in giving instructions for the ANC contingent to be withdrawn to the Congolese frontier. Any other attitude, and in particular a decision to disarm the regular troops of the ANC by force if necessary, would have entailed far more serious dangers. Furthermore, there were no longer any Congolese troops in Ruanda-Urundi and the Belgian Government had no intention of granting permission for any further transit operations.

On the same day the USSR representative transmitted a statement by his Government concerning the need to terminate the Belgian trusteeship over Ruanda-Urundi and to grant the Territory independence forthwith.

The representatives of Ceylon, Liberia and the United Arab Republic submitted a draft resolution under which the Council would: call upon the Belgian Government as the Administering Authority of the Trust Territory of Ruanda-Urundi immediately to cease all action against the Republic of the Congo and to observe strictly its international obligations under the Trusteeship Agreement; call upon the Belgian Government to withdraw immediately from the Republic of the Congo all Belgian military and para-military personnel, advisers and technicians; and recommend the General Assembly to consider the action taken by Belgium as a violation of the Trusteeship Agreement.

Some other members of the Council thought that the accusations levelled against Belgium were unfounded or grossly exaggerated. They welcomed the assurances given by Belgium.

On 17 January the President of Ghana transmitted to the Secretary-General a declaration concerning the situation in the Congo which had been adopted by Morocco, the United Arab Republic, Ghana, Guinea, Mali, the Provisional Government of the Republic of Algeria, Libya and Ceylon at the Conference of Independent African States held at Casablanca. In it those countries declared their determination to withdraw their troops placed under the United Nations Operational Command in the Congo, reaffirmed their recognition of the legal Government of the Congo and their earlier requests regarding the disarming of the lawless bands of Mobutu, the convening of Parliament, etc., and decided that if the purposes which justified the presence of the United Nations Force in the Congo were not realized they reserved the right to take appropriate action.

On 14 January the representative of Belgium informed the Secretary-General that troops of Kashamura had been firing from Goma (Congo) into Kisenyi (Ruanda-Urundi) indiscriminately day and night.

On 14 January the representative of the Congo stated that it was difficult to see what basis the Soviet Union could have for claiming that there had been Belgian aggression against the Congo. If there had been any aggression against the Congo, that country would not have left it to anyone else to denounce that aggression. Moreover, the action taken by the ANC against the rebels in Bukavu had been fully justified in view of the dictatorship and oppression prevailing in Kivu and in Orientale Province. The rebellion had been financed and encouraged by the USSR and some of the Afro-Asian countries which had taken part in the Casablanca Conference. It had been made possible by the fact that the United Nations had not drawn the right consequences from the Assembly's vote on the legal authority of President Kasa-Vubu. While United Nations intervention had succeeded in preventing a potential conflict of the Korean type in the Congo, it had, perhaps unwittingly, abandoned the Congo to chaos and dictatorship.

The three-Power draft resolution received 4 votes in favour, with 7 abstentions, and was consequently not adopted.

15. Meetings of the Security Council held from 1 to 21 February 1961

In two communications, dated 7 and 14 January and issued on 16 January, President Kasa-Vubu criticized the United Nations operation in the Congo on the ground of the passivity shown by United Nations personnel at Bukavu on the occasion of the kidnapping of the President of the provincial government of Kivu and of certain Ministers in that government, which was carried out by virtue of power usurped by Mr. Gizenga and Mr. Lundula. He also protested against the attitude adopted by the representative of the Secretary-General in various cases and recalled that, in accordance with the principle of non-intervention by the United Nations in the internal political affairs of the Congo, the Organization could intervene only with the agreement of the Republic of the Congo.

He complained also about the unauthorized landing of an Ilyushin aircraft belonging to the United Arab Republic at Lisala on 31 December.

He formally requested the recall of the Special Representative, whose irresponsibility and partiality had, according to him, shocked Congolese opinion. This request for the recall of the Special Representative was repeated on 24 January and 1 February. President Kasa-Vubu reaffirmed his full confidence in the Secretary-General but claimed that Ambassador Dayal's presence in the Congo automatically precluded the co-operation that was desirable and necessary for the success of the United Nations mission.

The Special Representative and the Secretary-General replied on 14 and 15 January respectively to the allegations regarding United Nations operations in the Congo. The Special Representative pointed out among other things that he had drawn the attention of the authorities of the United Arab Republic to their failure to obtain the necessary clearance for a flight into Congolese territory and that he had requested them to adhere in the future to the normal procedure of obtaining advance clearance.

With regard to the attitude of the United Nations towards the authorities in Orientale Province, Mr. Dayal said that it was and remained in strict conformity with the mandate received by ONUC from the Security Council and the General Assembly. As long as that mandate remained unaltered, the line of action to be adopted by ONUC in the case of serious political divergences between a provincial government and the central authority would be determined in accordance with the Secretary-General's memorandum on the implementation of paragraph 4 of the Security Council resolution of 9 August 1960 relating to the Province of Katanga.

The Secretary-General drew attention to the fact that the Special Representative was not a diplomatic representative accredited to the Congolese Government but a senior official of the Secretariat. In view of the lack of facts in support of the accusation of "irresponsibility and partiality", and in view of the stipulations of Articles 100 and 101 of the Charter, it was impossible for him to accede to the demand for the recall of the Special Representative.

On 18 January Mr. Lumumba, Mr. Mpolo and Mr. Okito were transferred from Thysville to Elisabethville. Several delegations expressed their grave concern at that transfer and at the brutal treatment to which the prisoners had been subjected on that occasion. In his communications of 19 January to the Chief of State and to Mr. Tshombe, the Secretary-General observed that Mr. Lumumba's transfer to Katanga necessarily involved a further interference with his right to defend himself and urged that immediate measures be taken to ensure that Mr. Lumumba returned from Katanga. On the following day, the Secretary-General, after consulting the Advisory Committee and receiving its unanimous approval, stressed the fact that the incarceration of various political leaders was incompatible with successful efforts to achieve reunification and reconciliation within the Congo. The reliable reports which he had received about the brutal manhandling of Mr. Lumumba and his companions on the occasion of their transfer forced him to emphasize once again his insistent appeal that humane treatment should be given to the persons in question.

On 19 and 24 January the Secretary-General and his Special Representative formally protested to the authorities of Orientale Province about the obstacles imposed on the movement of foreign nationals and addressed a solemn appeal to those authorities to respect the principles set forth in articles 2, 3, 5, 9 and 13 of the Universal Declaration of Human Rights. They also asked those authorities to prevent the ANC from interfering directly in the protective functions of the United Nations Force and to ensure that order was maintained in the area under their control.

On 24 January President Kasa-Vubu and Mr. Bomboko requested that the flagrant interference by the United Arab Republic in the domestic affairs of the Congo should be examined by the Security Council.

On 26 January the representatives of Ceylon, Ghana, Guinea, Mali, Morocco, the United Arab Republic and Yugoslavia and, later, the representative of Libya, requested that the Security Council should examine the alarming developments which had recently taken place in the Congo. On the same day, the Secretary-General issued the text of the messages which he had sent to the Governments of Ceylon, Guinea, Indonesia, Yugoslavia, Morocco and the United Arab Republic, in which he had drawn their attention to the very serious results that might follow if they carried out their intention of withdrawing their contingents from the United Nations Force. He also informed the Security Council of the decision of the Governments of Indonesia, Morocco and the United Arab Republic to withdraw their contingents and issued the text of the message he had addressed to them on the subject. He had pointed out to the King of Morocco that the withdrawal of contingents from the Force might weaken it to such an extent that it would become necessary to propose its liquidation, which might lead to a civil war degenerating into uninhibited tribal conflict, responsibility for which would be assumed by the countries which had seen fit to withdraw their troops.

On 28 January President Kasa-Vubu notified the Secretary-General that the Government of the Congo would be compelled to seek military assistance outside the United Nations, despite the danger of the conflict becoming international, if United Nations troops did not intervene, if necessary by force, to put an end to violence in Orientale and Kivu Provinces and to place the legal authorities in power again.

On 30 January the representative of the Soviet Union requested that the Security Council should take up immediately the new acts of Belgian aggression against the Congo.

When the Security Council met on 1 February, it had the following documents before it, in addition to those mentioned above: (1) *notes verbales* of 16, 19 and 25 January from the representative of Belgium on the subject of the illegal detention at Stanleyville of eight Belgian military servicemen who had strayed onto Congolese soil from the adjacent Territory of Ruanda-Urundi, where they had been stationed; they had been under detention since 13 January, and the Secretary-General was requested to order without delay all the measures necessary for their release; (2) *notes verbales* of 24 and 25 January from the representative of Belgium referring to the ill-treatment to which Belgian nationals in Orientale and Kivu Provinces were being subjected; (3) a letter of 21 January from the Secretary-General to the representative of Belgium concerning the negotiations said to be proceeding with the object of altering the status of the former Belgian bases in the Congo, the custodianship of which had been entrusted to the United Nations as a provisional measure under Article 40 of the Charter; no transfer of those bases or of the material therein to the ANC could take place without prior instructions from the Security Council; (4) a message from Mr. Tshombe, dated 1 February, in which he expressed his astonishment at the concern shown by the United Nations with regard to the transfer to Katanga, on the initiative and at the request of President Kasa-Vubu, of the ex-Prime Minister, despite the fact that he had been recognized as guilty of genocide by the United Nations.

On 7 February the text of a letter from the representative of the Sudan, dated 10 October 1960, in which he had asked that requests for permission for United Nations aircraft en route to or from the Congo to land in or fly over the Sudan should emanate directly from the United Nations and not from individual Governments, was issued at his request.

Between 6 and 12 February the representatives of the Central African Republic, the Congo (Brazzaville), Dahomey, Gabon and Madagascar requested a postponement of the Security Council debate in order to give States participating in the Brazzaville Conference the time to make preparations to present their views in the debate.

On 10 February the Minister of the Interior of the provincial government of Katanga announced that Mr. Lumumba and his fellow prisoners had escaped the previous night. On the same day the representatives of Ceylon, Ghana, Guinea, India, Indonesia, Libya, Mali, Morocco, the United Arab Republic and Yugoslavia addressed a joint letter to the Secretary-General in which they expressed their grave concern lest news of the escape of Mr. Lumumba had been inspired in preparation for announcing his death. On 11 February the representative of the USSR expressed himself in similar terms and proposed the urgent convening of a closed meeting of the Security Council to discuss the situation. The attempts made by the Secretary-General and his representatives to obtain from Mr. Tshombe all the facts about the alleged escape of Mr. Lumumba proved fruitless.

On 13 February the Minister of the Interior of the provincial government of Katanga announced that, during their attempt to escape, Mr. Lumumba, Mr. Okito and Mr. Mpolo had been killed by the inhabitants of a village, the name of which he refused to give.

Meanwhile the Special Representative reported that a serious civil war situation was developing in Katanga Province, particularly after the Katanga authorities had unilaterally abrogated the agreement of October 1960 concerning the establishment of a neutral zone in northern Katanga. That action had been based on the pretext that units of the ANC owing allegiance to the Stanleyville authorities had penetrated into that zone, which was guarded by the United Nations Force, without meeting any opposition. On 11 February the Katangese *gendarmerie* had embarked on an offensive with the nominal purpose of clearing the railway line between Lubudi and Luena, but it was clear that the objective was to bring the whole of the region occupied by the Baluba tribes under subjection by terrorism.

The Security Council, which had met on 1, 2 and 7 February, resumed its discussions on 13 February. The Secretary-General stated that the news of the fate of Mr. Lumumba was of so serious a nature as to render necessary an impartial international investigation. Several representatives expressed their indignation or their sense of shock at learning this news and the Council then decided to adjourn for forty-eight hours.

In the meantime the Council received a number of communications from Member States (Brazil, Bulgaria, Byelorussian SSR, Cuba, Czechoslovakia, Ethiopia, Guinea, Haiti, Liberia, Mali, Morocco, Norway, Poland, Romania, Somalia, Sudan, Togo, Tunisia, Ukrainian SSR, USSR, Upper Volta, Venezuela and Yugoslavia), conveying their protests concerning the death of Mr. Lumumba and his companions. Some States demanded a complete and impartial investigation; others voiced their lack of confidence in the United Nations or in the Secretary-General, and some called for his resignation.

In a statement in the Security Council on 1 February the Secretary-General reviewed the situation in the Congo, more especially the problems arising from the continued internal divisions, and suggested more far-reaching measures which the United Nations might contemplate taking in that connexion. He referred to the recurrence of foreign intervention in new forms and in particular to the fact that no provision had been made for preventing the recruitment of foreign mercenaries. The support given from abroad to the Congolese factions at a time when there was a danger of a reduction in the United Nations Force, and the fact that there was a conflict between the private armies which was likely to degenerate into a civil war, made it open to question whether the United Nations could continue to make a useful contribution unless the Force were to be strengthened. In his view, the Security Council should provide the United Nations with a basis for arrangements which would eliminate the threat from units of the army to efforts to re-establish normal political life and to the maintenance of law and order and legality.

As a mark of protest, the Government of Guinea decided on the immediate departure from its national territory of all experts and advisers placed at its disposal by the Secretary-General.

On 14 February the USSR Government demanded the dismissal of the Secretary-General and announced that it would not maintain any relations with him and would not recognize him as an official of the United Nations. It demanded that all Belgian troops and all Belgian personnel should be removed from the Congo immediately and that the United Nations operation should be discontinued within one month, and it declared that, together with other States friendly to the Congo, it was prepared to give all possible help to the Congolese people and its lawful Government headed by Antoine Gizenga, the Acting Prime Minister.

The Government of Bulgaria, the Byelorussian SSR, Czechoslovakia, Poland, Romania and the Ukrainian SSR adopted a position similar to that of the Soviet Union. Some States, while deploring the murder of Mr. Lumumba, expressed their confidence in the Secretary-General and stated that the United Nations operations in the Congo should continue.

The Council continued its consideration of this question from 15 to 21 February.

On 15 February the USSR representative introduced a draft resolution reiterating the points made in the Soviet Government's statement of 14 February; it stipulated that the Security Council should apply to Belgium, as the aggressor, the sanctions provided under Article 41 of the Charter and called for the immediate arrest and delivery for trial of Tshombe and Mobutu by the Command of the United Nations Force.

On 15 February the Secretary-General reviewed the charges made against the United Nations and himself by people who, in the final analysis, were attacking them either because they had not exceeded the mandate given them or had not acted against it or else because they had not used means which had never been placed at their disposal.

The fact was that ONUC used all the means placed at its disposal in accordance with the mandate established by the Security Council and the General Assembly. In that connexion, the Secretary-General recalled that ONUC had granted protection to Mr. Lumumba at his specific request and had stopped attempts to arrest him; on 7 November, Mr. Lumumba, who was then under "house arrest", had declared that the United Nations was the "guardian of democracy" and had expressed his full confidence in the Secretary-General and the General Assembly. When Mr. Lumumba had escaped from his residence in a way unknown to the United Nations and had been arrested and transferred to Thysville and subsequently to Katanga, there had been no possibility of the United Nations preventing it. Nor had it had the power or the right to liberate Mr. Lumumba by force from the Congolese authorities who had arrested him. Consequently, the United Nations had had to concentrate on efforts to give him all possible legal and humanitarian protection and had exercised all the pressure that was within its power.

The facts which he had recalled obviously did not justify the attacks made against the Secretary-General with a view to forcing him to resign. Such attacks emanated either from those whose individual national interests had been countered by United Nations action in the Congo, or from the Soviet Union, which thereby wished to open the road to such a change in the structure of the United Nations and its Secretariat as would give that country increased influence outside the framework of the Charter.

In those circumstances, he said, it was impossible for the Secretary-General to resign, despite the fact that one of the permanent members of the Security Council had withdrawn its confidence in him. The fact was that the Soviet Union did not wish a successor to the Secretary-General to be appointed until its proposal that the Organization, on its executive side, should be run by a triumvirate, had been adopted. Such an arrangement would make it impossible to maintain an effective executive, at the very moment when great tension prevailed in the world. He repeated that he would be led to resign only if it were the wish of the uncommitted nations—in other words the vast majority of Member States for which the Organization was of decisive importance and towards which he had an overriding responsibility—that he should do so.

The Secretary-General then defined the aims to be achieved and the means to be employed: (1) an international investigation into the circumstances surrounding the assassination of Mr. Lumumba and his colleagues; (2) the protection of the civilian population by the United Nations against attacks from armed units, whatever the authority under which they were acting; (3) the resort to all means, short of force, to forestall clashes between armed units, through the establishment of neutralized zones, cease-fire arrangements, etc.; (4) the re-organization of the ANC so that it should fulfil its normal purposes and be withdrawn from political strife; (5) the elimination of the Belgian political element in the Congo. Those five points were essential elements in a constructive policy for the Congo.

There were three other points of a different nature: the right to inspect trains and aircraft coming to the Congo to ensure that no arms were imported, the control of undesirable movements of funds and capital, and the application of the constitutional measures necessary to enable Parliament to meet. It was for the Security Council to determine the ends and to decide on the means, in full awareness of its responsibility for the maintenance of peace and its duty to respect the sovereignty of a Member State. If the Council wished to redefine or widen the mandate of the United Nations, it must necessarily provide satisfactory means for the fulfilment of the established purposes of United Nations action.

On 17 February the representatives of Ceylon, Liberia and the United Arab Republic introduced a draft resolution whereby the Council would: (1) urge the United Nations to take immediately all appropriate measures to prevent the occurrence of civil war in the Congo and to that end, resort to force, if necessary, in the last resort; (2) urge the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under United Nations control, and mercenaries; (3) call upon all States to take energetic measures to prevent the departure of such personnel for the Congo and deny transit to them; (4) decide that an immediate and impartial investigation be held in order to ascertain the circumstances of the death of Mr. Lumumba and his colleagues and that the perpetrators of those crimes be punished; (5) reaffirm its previous resolutions and those of the General Assembly; (6) urge the convening of Parliament and the taking of necessary protective measures in that connexion; (7) urge that Congolese armed units and personnel should be reorganized with a view to the elimination of any possibility of interference by such units and personnel in the political life of the Congo; (8) call upon all States to extend their full co-operation for the implementation of the foregoing measures.

The Security Council adjourned on 17 February to await the publication of two messages sent to the Advisory Committee on the Congo by the Conciliation Commission. When circulating those messages, the Advisory Committee observed that the Conciliation Commission had submitted its conclusions in advance of its report and that, for the time being, they represented only the individual views of the members of the Commission and not those of the Governments represented on the Advisory Committee, which had not considered the substantive aspects of the conclusions. In the conclusions, the majority of the members of the Commission advocated the broadening of the basis of the Ileo provisional government so as to make it a Government of national unity; the immediate halting of military operations in progress or about to be launched in Katanga to avert civil war and genocide between different tribes in the Congo; the insulation of the ANC from politics and its reorganization; the release of political personalities detained in the Republic of the Congo and a general amnesty following the establishment of a government of national unity; the convening of Parliament without delay; the institution of effective measures to enforce the resolutions calling upon all States to refrain from sending military assistance or assistance which could be used for military purposes to the Congo and to avoid assuming any attitude which might aggravate the opposition between the different tendencies in the Congo. The members of the Commission considered it desirable to convene a summit meeting of Congolese political leaders at a neutral place, outside the territory of the Republic if necessary, with a view to reaching agreement on desired changes in the *Loi fondamentale* concerning the structure of the Congo. In that connexion, the members of the Commission were of the view that in existing conditions only a federal form of government could preserve the national unity and the territorial integrity of the Congolese State.

When the Council met again on 20 February, the Secretary-General informed it of the transfer to Bakwanga (South Kasai) and execution of six political leaders, including Mr. Finant, President of the provincial government of Orientale Province, who had previously been imprisoned at Leopoldville. Arrests and deportations of political personalities had also been carried out in conditions of secrecy.

On 19 February the Secretary-General had written to President Kasa-Vubu in the strongest possible terms asking him to take immediate action to bring about the return of those individuals and to permit them to obtain due protection as to their persons and their rights.

On 20 February the representatives of Ceylon, Liberia and the United Arab Republic introduced a second draft resolution under which the Security Council, after taking note of the report of the Special Representative concerning the atrocities and assassinations in Leopoldville, Katanga and South Kasai, would: (1) strongly condemn the unlawful arrests, deportations and assassinations of political leaders of the Congo; (2) call upon all concerned in the Congo immediately to put an end to such practices; (3) call upon the United Nations authorities in the Congo to take all possible measures to prevent the occurrence of such outrages including, if necessary, the use of force as a last resort; (4) decide upon an impartial investigation to determine the responsibility for those crimes and punishment of those perpetrating them.

The representatives of the United States, Turkey, China, the United Kingdom and Chile supported the first three-Power draft resolution, with certain reservations. They said that, despite the absence of any mention of the Secretary-General in the text, the resolution should be interpreted to mean that it was the Secretary-General who was to implement it. With regard to the provision authorizing the use of force, the expression "appropriate measures" in that provision must, according to the United States representative, be interpreted as being governed by the provisions of the Charter, which placed restrictions upon the use of force and which prohibited the Organization from intervening in the internal affairs of any State, particularly as the Council had not adopted any measures under Article 42 of the Charter and had not made the findings necessary under the Charter to justify such measures. There could therefore be no question of using force until agreement had first been sought by negotiation, conciliation and other peaceful measures and until efforts in that direction had failed.

These representatives also supported the interpretation given by the representative of Liberia, one of the sponsors of the draft resolution, to the paragraph relating to measures to be taken by States to prevent the sending of military personnel. According to that interpretation, material intended for military purposes was covered by the paragraph in question.

The representative of France said that any action taken in the Congo must scrupulously respect the sovereignty of that independent State. It was desirable that the United Nations should assist the lawful authorities, in particular, the Chief of State and the government of Mr. Ileo, to reorganize the Congo's armed forces and to restore internal law and order.

On the night of 20 February, the Soviet Union draft resolution was rejected by 8 votes to 1 (USSR), with 2 abstentions (Ceylon, United Arab Republic).

The first three-Power draft resolution was adopted by 9 votes to none, with 2 abstentions (France, USSR).

The second three-Power draft resolution was the subject of unfavourable comments by the representative of China, who criticized the paragraph concerning the use of force as being to some extent contrary to the Charter. This paragraph was put to the vote separately and received 5 votes in favour, and 1 against, with 5 abstentions; it was therefore not adopted.

The representative of the United States, supported by other delegations, considered that the Council should take note of the reports of atrocities, murders and violence which had taken place not only at Leopoldville, Katanga and South Kasai but also at Stanleyville. He therefore proposed that the text should be amended by the insertion of the word "Stanleyville". The representatives of Ceylon, the United Arab Republic and the Soviet Union stated that they were not prepared to equate Leopoldville with Stanleyville in this respect. The amendment submitted by the United States received 8 votes in favour and 3 against; it was not adopted, one of the negative votes being that of a permanent member of the Council. Another amendment submitted by the United States representative, with the same end in view, received 7 votes in favour and 3 against, with 1 abstention, and again was not adopted on account of the negative vote of the Soviet Union.

The second three-Power draft resolution received 6 votes in favour, with 5 abstentions. It was not adopted, having failed to obtain the affirmative votes of seven members.

After the vote, the representative of the Soviet Union said that he had abstained in the vote on the first three-Power draft resolution because that resolution did not provide a radical and positive solution to the Congo problem.

He had not, however, stood in the way of its adoption because, in spite of its defects and omissions, it included an objective condemnation of the murderers of the national leaders as well as other positive provisions regarding the withdrawal of Belgian personnel and the cessation of the military operations of Tshombe and Mobutu. He interpreted the paragraph relating to the use of force to prevent all clashes as applying to the troops of those persons and not to the troops of the lawful Government. Any other interpretation would run counter to the resolution. He emphasized that the resolution did not give any concrete instructions to the Secretary-General. He also said that the resolution constituted a first step in the direction of the more radical measures recommended by the Soviet Union.

The representatives of the United Kingdom and the United States stated that they would have voted in favour of the second three-Power draft resolution had the amendments designed to remove the one-sided nature of the first preambular paragraph not been defeated by a veto.

The Secretary-General welcomed the first three-Power resolution just adopted, as giving a stronger and clearer framework for United Nations action although not providing a wider legal basis or new means for implementation. He noted the reaffirmation of previous resolutions which had entrusted the Secretary-General with their execution and said that he would seek guidance from the Advisory Committee in the implementation of the present decision. He pointed out that the additional duties entrusted to the United Nations Force would necessitate its strengthening by means of further contributions.

He expressed regret that the second three-Power draft resolution had not been adopted, for its adoption would have strengthened the hand of the United Nations representatives in the Congo. He noted, however, that there had been no difference of opinion regarding the operative paragraphs of the resolution and he therefore felt entitled to use those operative paragraphs, with the full moral value which they would have.

16. Implementation of the Security Council resolution of 21 February 1961

The Secretary-General, acting in close consultation with the Advisory Committee, without delay adopted measures to implement the resolution of 21 February.

On 24 February he asked African States and other Member States which had provided contingents of the United Nations Force to provide new or additional troops. The resolution of 21 February had entrusted the Force with additional tasks and its strength, which had already been reduced to 17,500, would be further reduced to 14,500 if the Governments of Indonesia and Morocco repatriated their contingents. The Secretary-General stated that the Governments of Ethiopia, Sudan and Tunisia had declared that they did not wish to become a third party in any dispute which might arise between the contending parties in the Congo. In that connexion the Secretary-General observed that the resolution of 21 February did not seem to derogate from the position that United Nations troops should not become parties to armed conflict in the Congo. They would not become a party to such a conflict unless they took the initiative in an armed attack on an organized army group in the Congo, which would be contrary to the above-mentioned principle. On the other hand, a defensive action by United Nations troops to hold occupied positions could not be regarded as an attack.

In his first report, dated 27 February, on the implementation of the resolution of 21 February, the Secretary-General stated that appropriate steps would be taken in connexion with the implementation of the paragraph of the resolution calling for the use of force if necessary, taking into account the availability of troops, the development of the situation and the stands taken by the Governments of Ethiopia, Sudan and Tunisia.

On 3 March the Permanent Representative of India informed the Secretary-General that in response to the latter's request the Indian Government would dispatch a brigade to the Congo as reinforcements to help in the full implementation of the Security Council resolution. He stressed the need for a very early withdrawal of Belgian personnel referred to in that resolution. On 4 March the Secretary-General endorsed this view, as well as the position of the Government of India that its forces should not be called upon to fight troops or nationals of other States Members (the only possible exceptions being Congolese armed units or Belgian and other military and para-military personnel). None of the troops in the Force could be used for the suppression of popular movements or for any other partisan political ends.

In addition to the Government of India, the Governments of Ethiopia, Liberia, Nigeria and Tunisia took steps, in response to the Secretary-General's request, substantially to strengthen their contingents in the Force. The Government of the Federation of Malaya had taken similar action before the adoption of the resolution of 21 February, and the Governments of Ireland and Sweden in response to requests made by the Secretary-General in April. Other African and Asian Governments stated their intention of responding to the Secretary-General's request.

(*a*) RELATIONS BETWEEN THE UNITED NATIONS AND THE CONGOLESE AUTHORITIES

In a cable dated 22 February addressed to the President of the Security Council, President Kasa-Vubu stated: (1) that the Council had failed to take into account in its resolution of 21 February the proposals put forward by the Conciliation Commission for the formation of a government of national unity; (2) with regard to the employment of foreign technicians, the Congo intended to recruit them wherever it thought fit; (3) that the Council could not conduct any investigation in the territory of the Congo except with the preliminary agreement of the Government of the Republic, and that it would have been preferable for the Security Council to concern itself with all victims of barbarous acts, without any distinction, throughout Congolese territory; (4) that a decision to convene Parliament would be taken by the Congolese themselves and that no foreign State or international agency could supplant them; (5) that it was not for the Council to impose any solutions which ran counter to the will of the Government of the Congo in the matter of reorganization, the employment of instructors or the supply of military matériel. The Government of the Republic protested at the infringement of the sovereignty of the Congo by the Security Council, emphasized that the Congolese people would never permit the implementation of the provisions of the resolution, stated that it adhered to the terms of the previous resolutions of the Council and the Assembly and offered its loyal co-operation to the United Nations and the Secretary-General to the extent that the principle of consultation and co-operation were respected.

On 27 February the Special Representative reported that at Leopoldville members of the United Nations personnel had been subjected to brutal attacks and arbitrary arrests by the ANC and that the Command of the ANC had been warned that ONUC would oppose such acts with the maximum of force.

On 3 March the Secretary-General submitted a report concerning developments in the Leopoldville area. The report gave excerpts from the text of an article, dated 3 March, which had appeared in the Military Bulletin of the ANC Headquarters at Leopoldville and which gave a distorted account of the United Nations activities in the Congo. According to that article the Security Council had decided to expel all foreign technicians from the Congo and to disarm the ANC with a view to placing the Congo under United Nations trusteeship.

The Secretary-General's report referred to a *note verbale* from the Leopoldville authorities, dated 1 March, requesting that, as a result of the events at Luluabourg (see section (*d*) below), the military airfield at Ndjili (Leopoldville) should be evacuated by the United Nations forces and that United Nations troops should be forbidden to enter Congolese military camps.

In the further *note verbale* President Kasa-Vubu protested against the establishment at Leopoldville of a neutral zone to which self-styled political refugees would be admitted, whereas no similar step had been taken at Stanleyville. The Chief of State pointed out that the neutral zone had been set up without consultation with him and that such acts constituted an intrusion into the domestic affairs of the country. In a letter of 3 March to President Kasa-Vubu the Secretary-General pointed out that, since the adoption of the resolution of 21 February, persons under the authority of the President of the Congo had been guilty of acts which were inconsistent on the one hand with the determination of the United Nations to respect Congolese sovereignty and on the other hand with the President's statement of willingness to co-operate with the United Nations. In that connexion the Secretary-General pointed out that the Council had never envisaged the expulsion of foreign technicians from the Congo but only of foreign military and para-military personnel, political advisers and mercenaries; nor had it decided to disarm the ANC but rather to reorganize it with a view to eliminating interference by its units in the political life of the Congo and to enabling it to perform its proper functions. Neutral zones had been established only when it was necessary to protect certain persons against violations of fundamental human rights, in particular at Stanleyville, Bukavu, Goma and Kivu and in certain places in the provinces of Katanga and Kasai.

The Secretary-General also informed President Kasa-Vubu that the United Nations could not agree to the request that United Nations troops should be evacuated from the air force installations at Ndjili, which were essential to the entire United Nations operation in the Congo and to the communications required for the Force. Moreover, by the basic Agreement of 27 July 1960 the Congolese Government had undertaken to ensure the freedom of movement of the Force throughout the country. The United Nations could not accept a unilateral attempt to abrogate the Agreement.

Serious incidents occurred on 3, 4 and 5 March in the Bas-Congo region, during which ANC units exchanged shots with units of the Force. These incidents were the consequences of unjustified obstructionist measures restricting the freedom of movement of United Nations personnel at the aerodrome at Moanda and at the ports of Banana and Matadi. The Special Representative and the Secretary-General made vigorous protests concerning these incidents, which had involved loss of human life on both sides, and stated that they were the culminating point in a series of developments which had had the result of creating feelings of fear and tension arising from systematic distortions of the resolution of 21 February disseminated by the Congolese authorities during the previous fortnight. The Leopoldville authorities, for their part, attributed these deplorable incidents to the uncertainty of the ANC concerning the intentions of the United Nations forces. They expressed the view that these misunderstandings could be dispelled if it was clearly apparent that the resolution of 21 February would be implemented only in consultation with the legitimate authorities of the Republic of the Congo. Furthermore, the Leopoldville authorities stated that they had no objection in principle to the presence of the United Nations forces at Matadi. According to the version given by these authorities, responsibility for the events should be attributed to the units of the United Nations Force, since they had been the first to resort to arms. The United Nations committee of investigation came to a diametrically opposite conclusion, i.e., that the events which had occurred first in the Leopoldville area and later at Moanda and Banana seemed to indicate that something was afoot around the estuary of the river Congo, where the United Nations position had been substantially weakened by the withdrawal of Moroccan troops. The incidents at the port of Matadi—the only harbour in the Congo usable for seagoing vessels—concluded on 5 March by a cease-fire agreement between the local Congolese and Sudanese military authorities. Under the terms of this agreement the Sudanese troops were to leave the town of Matadi, which would come under the exclusive control of the ANC. The Leopoldville authorities stated that in view of the existing tension it would be inadvisable for the United Nations to send more troops to Matadi. Lastly, they demanded as a condition for future co-operation with the United Nations that no United Nations troopships should enter Matadi, that all United Nations air traffic should be controlled by the Congolese authorities, that joint control should be established over all airfields and other strategic points at that time under United Nations control, that all permanent movements of United Nations troops should be subject to the control of the Congolese Government and that United Nations troops should cease patrolling Leopoldville with arms. The Special Representative replied that the first four demands were inadmissible.

Mr. Delvaux, Acting Minister of the Interior in the Ileo government, gave a press conference on 7 March at which he stated that complete collaboration between the United Nations and the Congolese Government would not be possible as long as the United Nations did not deal with the Government in good faith and disregarded its wishes and until Mr. Dayal, who had long since lost the confidence of the Congolese, was withdrawn.

On 31 March the Secretary-General circulated an exchange of correspondence between himself and President Kasa-Vubu on the subject of Matadi. The Secretary-General pointed out that the status, rights and functions of the United Nations in the Congo were basically determined by the fact that its action had been taken in order to counteract an international threat to peace and that the relation between the United Nations and the Congolese Government was not merely a contractual relationship but was governed by mandatory decisions of the Council which were binding under Articles 25 and 49 of the Charter. Consequently no Government, including the host Government, could by unilateral action determine how measures taken by the Council should be carried out. Furthermore, the Secretary-General recalled the undertaking entered into by the Congolese Government in the Agreement of 27 July 1960, in which it had *inter alia* stated that it would ensure the freedom of movement of the Force in the interior of the country. The Secretary-General also recalled that the resolution of 21 February did not aim at disarming the ANC or *a fortiori* the use of armed force for that purpose. Force could be used only in the last resort in support of cease-fire arrangements and similar measures for the prevention of civil war or in the exceptional event of ANC units breaking loose from their own command and threatening the population.

Without a satisfactory position at Matadi, both from the point of view of sufficient strength and of freedom of movement, a vital line of communications, essential for the carrying out of the United Nations operation, would be cut. The continuation of the operation would thus become impossible both from the civil and the military angle. Hence the withdrawal of United Nations contingents from Banana and Matadi could be only temporary.

Moreover, the size, the composition and the deployment of the United Nations Force could not be subordinated to the will of any one government. There naturally remained a wide area for co-operation aimed at the best and mutually most satisfactory arrangements, due account being taken of the circumstances.

On 25 March Mr. Bomboko stated that, provided no psychological error was committed, it would be possible to come to an arrangement which would be acceptable to both parties. Nevertheless he made the most explicit reservations regarding a too early return of United Nations military forces to Matadi and Banana, in view of the state of alarm created throughout the country by the decision of 21 February. The Congolese authorities therefore proposed that the United Nations should renounce any idea of using force with a view to reoccupying Matadi and Banana and suggested that the United Nations should send to Matadi a team of civilian officials whose task it would be to supervise transit operations in connexion with shipments consigned to ONUC, which for the time being should not include military matériel or ammunition.

In the opinion of the Secretary-General the arrangements suggested by the Leopoldville authorities were impossible to reconcile with the undertaking entered into by the Congolese Government on 27 July 1960 to execute the provisions of the Agreement in good faith, since they would prevent the United Nations from freely exercising effective control over the movement of the supplies necessary for the maintenance of ONUC.

The Secretary-General stated that the presence of a small military detachment at Matadi would give rise to no problems of sovereignty and to no friction, any more than it had done in the case of UNEF at Port Said.

In view of the difficulties relating to the movement of United Nations supplies at Matadi, the Leopoldville authorities were informed that, as an essential preliminary, United Nations rights in the port must be restored.

On 16 March the Secretary-General informed President Kasa-Vubu that in order to ensure the speedy implementation of operative paragraph 2 of part A of the resolution of 21 February, particularly with regard to political advisers, he proposed to send to Leopoldville a delegation consisting of Mr. Gardiner and Mr. Nwokedi and to send Mr. Taieb Sahbani, Ambassador of Tunisia, to Brussels.

On 17 April an agreement on general principles (the text of which was circulated by the Secretary-General), concerning the repatriation of the personnel covered by the resolution of 21 February and the reorganization of the ANC, was signed by the two representatives of the United Nations and by President Kasa-Vubu and Mr. Bomboko. Discussions were continued at Leopoldville concerning the implementation of this agreement on a basis which would apply to the Republic of the Congo as a whole. Under the terms of the agreement, the Republic accepted the resolution of 21 February, including in particular the provisions for the elimination of all deleterious foreign influences and for the reorganization of the ANC. It was understood that the reorganization would be carried out under the authority of the President of the Republic on the basis of his proposals of 5 March and that he would repatriate from the Congo all foreign personnel who had not been recruited or recalled under his authority and would re-examine the appointments made under his authority. The United Nations reaffirmed its respect for the sovereignty of the Republic and undertook to give all possible assistance in the implementation of the Security Council resolution, including the recruitment and training of personnel.

On 12 June the Secretary-General circulated an exchange of correspondence between himself and President Kasa-Vubu concerning United Nations financial assistance to the Republic of the Congo and the text of an agreement on the subject between the Republic and the United Nations and also accepted by the Monetary Council of the Congo. The arrangements to be made for such assistance had been the subject of discussions between the President and his representatives on the one hand and a Secretariat mission under Mr. de Seynes on the other. The Secretary-General stressed that the intention was that the whole country without discrimination should benefit, through the Treasury, from the action of the United Nations, and he noted that the President agreed with that view.

Referring to steps being taken by the President with United Nations assistance to strengthen the Republic's financial and economic position and its central and provincial administrative structure, the Secretary-General commented that, without an effort at internal reform, external assistance could not solve the Congo's problems. Under the agreement, the Secretary-General took steps to transfer $US10 million to the Monetary Council's account.

(*b*) WITHDRAWAL AND EVACUATION OF BELGIAN AND OTHER FOREIGN MILITARY AND PARA-MILITARY PERSONNEL, POLITICAL ADVISERS AND MERCENARIES

On 27 February the Secretary-General submitted his first report on the steps he had taken, after consulting the Advisory Committee on the Congo, with regard to the implementation of the resolution of 21 February.

In particular he circulated the text of a letter sent by him to all Member States in which he drew their attention to their obligations under paragraph A-2 of the resolution of 21 February. He also circulated the communications he had exchanged with the Belgian Government with regard to the withdrawal of Belgian personnel in accordance with the resolution in question.

The Secretary-General drew the attention of the Belgian Government to the fact that since Council resolutions were mandatory under Article 25 of the Charter, the States concerned were under a legal obligation to adapt their national legislation to the extent necessary to give effect to those resolutions. He also suggested that a senior officer of the Secretariat should meet with representatives of the Belgian Government in order to further the implementation of the resolution in question.

In his reply the Permanent Representative of Belgium stated that his Government had already reaffirmed its desire to collaborate for the successful outcome of the United Nations action for the restoration of order and prosperity in the Congo, but that it understood that there should be no discrimination with regard to Belgians in connexion with both the withdrawal and the replacement of non-Congolese personnel. It considered that the Secretary-General should in particular ensure that security should in no case be weakened, since that might imperil human lives and lead to the departure of the thousands of technicians whom the resolution did not cover, and who were ensuring the continuation of the country's economic life. That remark applied particularly to Orientale and Kivu Provinces, where there were no Belgian military or political elements. The Belgian Government maintained that there was in the Congo a considerable number of Belgian nationals who were covered by that definition. It undertook to recall all its nationals whom it had the legal right to request to return to their country and listed the categories of personnel over whom it considered it had such authority. With regard to the mercenaries recruited by various Congolese authorities, the Belgian Government had no interest in them and disapproved of their venture. Finally, with regard to Belgian citizens chosen by the Congolese authorities as political advisers from among a mass of Belgian agents made available to them under article 250 of the *Loi fondamentale,* and over whom the Belgian Government had no authority, it would be for the Secretary-General to agree with the Congolese authorities, who were alone empowered to modify the constitutional texts.

After consulting the Advisory Committee, the Secretary-General expressed the view that the measures indicated by the Belgian Government fell short of full compliance with the Security Council resolution. Referring to the necessity for prompt and unconditional implementation of the resolution, the Secretary-General said that he was unable to accept the position that methods of selection could be invoked to justify a claim of inability by the Belgian Government to control its nationals who were acting as political advisers in the Congo. He also stated that the implementation of paragraph A-2 with regard to military and para-military personnel and mercenaries should not be subject to the conditions laid down in the Belgian *note verbale* of 27 February.

In messages addressed to President Kasa-Vubu and to Mr. Tshombe, the Secretary-General informed them of the attitude of the Belgian Government and asked them what steps would be taken under their authority to comply with the Council resolution.

The Belgian Government confirmed that it could not compel Belgian citizens abroad who had no further military obligations to Belgium to return to their country; it could only rely on measures of persuasion. Moreover, the existing assignments did not derive from bilateral agreements but from the exercise of the free choice of agents by the Congolese authorities in conformity with article 250 of the *Loi fondamentale.* Nevertheless, the Belgian Government, while fully respecting Congolese sovereignty, would use its best endeavours with the authorities of the Congo in the sense indicated by the Secretary-General.

In the meantime, on 16 March, the Secretary-General had informed President Kasa-Vubu that he wished to take further measures, with the President's co-operation, with a view to the implementation of paragraph A-2 of the resolution of 21 February, relating to the withdrawal of military and para-military personnel and of foreign political advisers, and of paragraph B-2 of the same resolution, relating to the reorganization of the ANC. The Secretary-General further stated that the United Nations would assist the Congolese authorities to replace the officials who were to be withdrawn but that the implementation of the Security Council resolution was not subject to such replacement. With regard to the reorganization of the ANC, he said that he had noted the measures suggested on 5 March by the President himself.

On 22 March, in the light of various public statements made by Congolese leaders on the subject of the bases at Kitona, Banana and Kamina, the Secretary-General had requested the Belgian Government to give him full information on the subject of the negotiations which were alleged to have taken place with the object of altering the status of the bases. On 28 March the Belgian Government had reiterated that it was desirous of respecting General Assembly resolution 1474 (ES-IV) and that it had no intention of transferring military installations and bases to the ANC. It recalled that Belgium's property rights with respect to the bases were expressly reserved, the United Nations holding a temporary mandate "without prejudice to the rights and claims of the parties concerned".

On 7 April a DC-3 of the Katanga air force landed at Kabalo with thirty foreign soldiers on board. These mercenaries were taken into custody by United Nations troops. Their interrogation revealed that, although they claimed different nationalities, they had all enlisted for service while they were in South Africa, Southern Rhodesia or Katanga. Most of them claimed to have been under the impression that they were enlisting for regular police duties and not for active warfare. They said that they had been given to understand that the United Nations would not object to their operations, and that the fact that they had been deceived about the true nature of the job for which they had enlisted had become more evident after they had been given information on the precise scope of the resolution of 21 February.

The group of mercenaries taken into custody at Kabalo formed part of a "*Compagnie internationale*", whose strength was 200 officers, non-commissioned officers and other ranks and which when fully operational would consist of five platoons. The information given by the interrogated mercenaries has not so far been verified from other sources. These mercenaries were subsequently repatriated to their respective countries. Other mercenaries were apprehended at Nyunzu on 6 and 7 May. Furthermore, at the request of the Chief of State, the United Nations detained and evacuated five Belgian nationals and one stateless person who had accompanied Mr. Tshombe to Coquilhatville.

The agreement on general principles entered into on 17 April at Leopoldville between the United Nations and the Chief of State implements paragraph A-2 of the resolution of 21 February with regard to the withdrawal of personnel (see (*a*) above).

In his second report on the implementation of the resolution of 21 February, dated 17 May, the Secretary-General stated that the Belgian Government had repeatedly asserted its willingness to accept and implement the resolution of 21 February, although, as regards definition of the methods of implementation, the Belgian Government had shown a reluctance which on some occasions came close to putting in doubt its very acceptance of the resolution in principle. The Secretary-General and his Representative had at all times firmly opposed that attitude. A slight change in the Belgian position had become apparent under the new Government, although it still fell far short of what was required by the Security Council resolution.

(c) VIOLATIONS OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

On 21 February the Secretary-General drew the attention of President Kasa-Vubu to a draft resolution relating to the protection of human rights, which the Security Council had been unable to adopt owing to a difficulty in drafting but the essential parts of which had been supported by all the members of that body. The Council had strongly condemned unlawful arrests, deportations and assassinations of political leaders of the Congo and stigmatized those acts as serious crimes at the international level also. The Secretary-General stated his conviction that President Kasa-Vubu would take effective measures to prevent the repetition of such acts.

Protected areas had been established at Leopoldville in mid-February, when the news of the Bakwanga executions had given rise to renewed requests for protection. Asylum had been granted only to persons who could show that they were in real danger. Protected persons had been prohibited from conducting any political activities.

In a cable dated 25 February President Kasa-Vubu expressed the indignation of the Congolese people at the execution of fifteen political prisoners by the rebel authorities at Stanleyville, who, although they were usurpers of power, were recognized as a legal government by many African, Asian and Eastern European States.

In a communication to the Secretary-General dated 2 March, President Kasa-Vubu stated that the Central Government condemned all summary executions and political arrests; he accused the Special Representative of bias, on the grounds that he had ignored the political murders committed in the Stanleyville area.

On 22 February the Special Representative had submitted a report on the situation in Orientale and Kivu Provinces. He had stated that, despite the efforts made by the United Nations to warn the Stanleyville authorities of the serious consequences in the event of any reprisals against the political prisoners in their hands or others, there had been persistent rumours ever since 21 February that Mr. Songolo and his parliamentary associates had been liquidated. (Mr. Songolo and a parliamentary delegation of nine members had arrived at Stanleyville from Leopoldville on 17 October 1960.) On the other hand, an assurance had been given by a Minister of the Stanleyville Government regarding the safety of the eight Belgian soldiers (that news was later confirmed by General Lundula).

The situation of the foreigners, most of them Belgians, in Kivu had become extremely precarious as a result of the complete collapse of authority. The Kivu provincial authorities to some extent recognized the authority of Mr. Gizenga's Government over the Province. Despite its most strenuous efforts, the United Nations, whose forces were thinly spread, could afford the civilian population only protection limited to the means at its disposal.

Between 10 and 22 March the Belgian Government addressed to the Secretary-General several *notes verbales* informing him that it had been compelled to urge its nationals to leave Orientale and Kivu Provinces, seeing that ONUC was unable to guarantee their security or to evacuate them. A number of cases of serious brutality and even murder had been reported. In that connexion the Belgian Government recalled that the Secretary-General had assumed responsibility for the maintenance of order and security in the Congo.

In a report dated 13 March, the Special Representative stated that ONUC had intervened continually to obtain from the local authorities general assurances of protection and exit permits for foreign residents. The use of force to help refugees to leave the area was resorted to only when immediately necessary to save lives in actual danger. In the meantime, over 1,000 people had been able to leave the region and not more than 300 foreigners remained in Kivu Province. The concerted efforts of ONUC had brought about an improvement in the situation.

(d) THE CIVIL WAR SITUATION

On 24 February the Special Representative reported on the civil war situation in Equateur, Orientale, Kasai and Katanga Provinces. He concluded his report by stating that, although the civil war situation continued to be one of gravity, some improvement appeared to be in sight as a result of the persistent efforts by the United Nations to prevent armed conflict.

He pointed out that about 150 troops from Stanleyville had arrived at Luluabourg during the night of 23 February with the declared intention of protecting local personalities in danger of arrest.

In a letter dated 24 February to the Special Representative, Mr. Kasa-Vubu stated that ONUC had taken no action to halt the movement of those rebels, whereas it had opposed the arrival in the same region of troops from Leopoldville. He accused the Special Representative of partiality towards the Stanleyville rebels. On 25 February Mr. Ileo requested the Special Representative to take the necessary steps to expel the Stanleyville troops from Luluabourg.

On 28 February the Special Representative reported that the United Nations Force, with the help of the civilian authorities, was in virtual control of the situation in Kasai Province. Shortly afterwards he reported that the intruders from Stanleyville had withdrawn beyond observation by United Nations troops.

In his later reports the Special Representatives dealt with the civil war situation in the above-mentioned three sectors. He noted, in particular, that General MacEoin, the Force Commander, had visited Stanleyville to continue with General Lundula the talks he had begun with General Mobutu with a view to establishing a neutral zone between Equateur and Orientale Provinces.

On 15 April Mr. Abbas, Acting Special Representative, reported on the civil war situation in Katanga and on United Nations action in implementation of the Security Council resolution of 21 February. On 27 February Mr. Tshombe had unilaterally withdrawn the assurances he had previously given concerning the halting of military operations in North Katanga and on 28 February he had signed at Elisabethville, together with Mr. Ileo and Mr. Kalonji, a military protocol, confirmed at Tananarive on 12 March, by which it was agreed that the military forces of Katanga, South Kasai and Leopoldville should be pooled.

At the beginning of March, movements of the Katanga *gendarmerie* had been observed in the neighbourhood of Manono and Albertville. On 22 March Mr. Tshombe informed the ONUC representative at Elisabethville that the Katanga *gendarmerie* were to advance on Manono and Kabolo. He reminded him that the presence at Manono of ANC soldiers coming from Stanleyville was due to the negligence of the United Nations, which had permitted them to penetrate the neutral zone established by it and had allowed them to retain their arms. The military operations in Katanga, which were designed to bring about the subjugation of the Balubakats in North Katanga, were, according to the report, under the command of Colonel Crèvecoeur, assisted by some 350 Belgian officers and NCO's. The Katanga authorities had also recruited about a hundred mercenaries, mostly English-speaking.

The Force Commander gave instructions that any further aggressive moves by the Katanga *gendarmerie* were to be opposed. He himself went to see Mr. Tshombe on 27 March and warned him that the United Nations would oppose any use by him of military force and that, if necessary, the United Nations would send sufficient reinforcements to Katanga to deal with the situation. Mr. Tshombe gave no definitive reply to this warning.

Following the occupation of Manono by Katanga forces and in view of their reported intention to move northwards, the Indian contingent was dispatched from Leopoldville to Kamina on 2 April. As a result, serious incidents occurred at Elisabethville involving ONUC troops and Katangese *gendarmes* and mobs. On 4 April Mr. Tshombe led a hostile crowd of between 10,000 and 15,000 people towards the airport. That same day there were hostile demonstrations at Elisabethville against military personnel of the United Nations. On 5 April, as ONUC reinforcements were being flown into Elisabethville, Mr. Tshombe issued orders to shops, restaurants and places of entertainment to have no dealings with ONUC personnel. These orders forbidding co-operation with ONUC civil and military personnel were similarly applied in the Kamina district. On 17 May the Secretary-General reported on the measures taken by the United Nations Command, after receiving substantial increases in the strength of its Force, to prevent the occurrence of civil war. He observed that, as a result, the danger of emerging civil war in North Katanga had been substantially lessened.

(*e*) REORGANIZATION OF THE CONGOLESE NATIONAL ARMY

On 6 March President Kasa-Vubu proposed to the Secretary-General a few principles which might solve the problem of the reorganization of the ANC. He observed that the acts of hostility towards units of the United Nations Force were the result of talk by certain responsible United Nations officials of "disarming" the Army. Such remarks had given rise to a good deal of animosity among the Congolese troops, whose discipline was still very weak.

President Kasa-Vubu felt that it was over-simple and unrealistic to believe that the problem could be solved by expelling the Belgian military personnel, who numbered fourteen officers among the troops under General Mobutu's command. The Congolese Government accordingly put forward the following five proposals: (1) the National Army should remain under the command of the President of the Republic, who was best able to insulate it from all politics; (2) the reorganization must embrace the entire country, including Orientale Province, Kivu, South Kasai and Katanga; it would be understood that, should it prove impossible to reach a satisfactory agreement on the matter with the military leaders in those sectors, the operation would be suspended forthwith in the loyal units; (3) a National Defence Council should be set up by the President of the Republic and should be under his authority, its task being to draw up a detailed programme for the training and reorganization of the ANC; (4) the operation could be initiated as soon as it was possible to reach agreement on the above proposals; (5) the Congolese Government would retain the right to accept or to refuse technicians proposed by the National Council of Defence and recruited through United Nations channels. President Kasa-Vubu pointed out that those proposals had one sole objective: to restore peace in the Congo without derogating from the national sovereignty of the country.

On 16 March the Secretary-General informed President Kasa-Vubu that his suggestions could serve to some extent as a basis for a study of the question. The delegation sent to Leopoldville to discuss arrangements for the withdrawal of foreign personnel began this study with the Congolese authorities. The agreement on general principles of 17 April 1961 provided, *inter alia*, that the reorganization of the ANC would be carried out under the authority of the President of the Republic on the basis of the proposals made by him on 5 March and would apply throughout the territory of the Congo.

(*f*) INVESTIGATION TO ASCERTAIN THE CIRCUMSTANCES OF THE DEATH OF MR. LUMUMBA AND HIS COLLEAGUES

On 15 February the Special Representative published the letters he had exchanged with Mr. Tshombe regarding the return of the remains of Mr. Lumumba and his colleagues to their respective families. Mr. Tshombe had refused to comply with the request.

On 20 March the Secretary-General informed the members of the Security Council of the recommendations made by the Advisory Committee with respect to the implementation of paragraph A-4 of the Security Council resolution of 21 February concerning the terms of reference of the Commission to investigate the circumstances of the death of Mr. Lumumba and his colleagues. The Advisory Committee had recommended, *inter alia*, that the Commission should be composed of four members nominated by the Governments of Burma, Ethiopia, Mexico and Togo. The Commission was established by General Assembly resolution 1601 (XV) of 15 April 1961, which was later revised following certain changes in the appointments made by the Governments concerned, and it began its work on 11 May.

(*g*) CONVENING OF THE CONGOLESE PARLIAMENT

A Conference of Congolese political leaders, held at Coquilhatville for the purpose of establishing the framework for a new political structure in the Congo, decided that its proposals would be submitted to a meeting of Parliament to be convened at Leopoldville with its members under United Nations protection.

In a letter dated 16 May addressed to the Secretary-General, Mr. Gizenga requested that the Congolese Parliament should be convened at Kamina, that the United Nations forces at Kamina should be reinforced by units from Ghana, Guinea, Mali, Sudan, Togo and the United Arab Republic, and that a neutral zone should be established up to a radius of 100 kilometres from the town. Mr. Gizenga's letter was published as a Security Council document at the request of the Permanent Representative of the USSR, who supported Mr. Gizenga's request in a letter dated 23 May 1961. The representatives of Albania, Czechoslovakia and Poland took similar positions in letters addressed to the President of the Security Council.

(*h*) RESIGNATION OF MR. DAYAL

On 25 May the Secretary-General announced that Mr. Dayal had been relieved, at his own request, of his functions as Special Representative in the Congo. No new Special Representative was appointed; the Secretary-General stated that the activities in the Congo would be co-ordinated by the senior United Nations official at Leopoldville as officer-in-charge of the operation.

17. Fifteenth session of the General Assembly (21 March to 18 April 1961)

On 9 March President Kasa-Vubu informed the President of the General Assembly that the Tananarive Conference had unanimously requested that the Assembly should refrain from taking any position until it knew the results of the Conference and that the Conference drew the Assembly's attention to the fact that the implementation of the Security Council resolution of 21 February would aggravate the situation in view of the tension prevailing in the Congo.

On 20 March the Conciliation Commission, which had been in the Congo from 3 January to 20 February, reported on its mission and issued the documents that had been transmitted to it by Mr. Kasongo, President of the Chamber of Representatives, and President Kasa-Vubu. Generally speaking, those documents concerned the dismissal of Mr. Lumumba from office by the President of the Republic and the events that had preceded and followed his dismissal.

In its conclusions the Commission intimated that President Kasa-Vubu had regarded it as merely a form of technical assistance in the political field.

Because of the intransigent attitude of certain leaders, the attempts made by the Commission to reconcile the opposing groups had not led to any positive results, although its study of the views of most of the leaders had enabled it to reach a number of conclusions which might form the basis of future conciliation efforts.

In addition to its recommendations for broadening the basis of Mr. Ileo's provisional government, reorganizing the ANC, releasing the political prisoners and convening Parliament under United Nations protection, the Commission felt that the military operations which were in progress in Katanga and those which might be launched elsewhere should be halted immediately in order to avert the danger of civil war. It expressed the view that, in the present conditions, only a federal form of government could preserve the national unity and territorial integrity of the Congo. It felt that a truly representative meeting of the principal Congolese leaders would make it possible for some progress to be achieved in the matter of such a reform of the structure of the Congo. Some of the political leaders observed that this Congolese "summit" meeting should be held at a neutral place.

The Commission further reported that all the Congolese leaders it had interviewed had referred in forthright terms to the necessity of putting an end to foreign interference in the internal affairs of the Congo. It consequently considered that an appeal to that effect should be made to all States and that immediate steps should be taken to bring about the withdrawal of the foreign personnel referred to in the resolution of 21 February, which it welcomed as being in conformity with most of its own conclusions. Various members of the Commission submitted observations, notes, explanations and reservations with regard to the report.

In an address given before the General Assembly on 7 March, the President of Ghana repeated his Government's proposals and declared that, despite the serious mistakes that had been made in the conduct of the United Nations operations in the Congo, he had no intention of undermining the authority of the United Nations. The source of the difficulties encountered in the Congo lay in the fact that the Security Council and the General Assembly had become mesmerized by the problem of the cold war and that the solutions they advocated were worked out in terms of that problem rather than in the interests of the Congolese people themselves. With regard to the position of the Secretary-General and the reorganization of the structure of the United Nations, he thought that those important questions would have to be settled in due course but that they must not be confused with the necessity for an immediate settlement of the situation in the Congo. He declared his support for the Gizenga government, which in his opinion was the only government chosen by constitutional means.

On 21 March the Minister for Foreign Affairs of the USSR threw the responsibility for the murder of Mr. Lumumba and his colleagues upon the Secretary-General. Reiterating his Government's demand for a modification of the structure of the Secretariat, he accused the Secretary-General of usurping all the prerogatives of the United Nations organs and in some cases of supplanting them, in his own person. The States whose interests were served by the Secretary-General and his colleagues found it very useful to conduct their own line of policy through him. That group of States exercised an influence in the United Nations out of all proportion to their number and to the size of their populations, owing to the distorted structure of the Secretariat and of the other organs of the United Nations. The neutralist and socialist States, whose interests were disregarded, should enjoy the same rights as did the capitalist States and should have their representatives in the United Nations Executive. He summed up the position of the Soviet Union as follows: it called for the condemnation of the Belgian aggressor and for the imposition of suitable sanctions against that State, the immediate withdrawal from the Congo of all Belgian forces and personnel still there, the arrest and trial of Mr. Tshombe and Mr. Mobutu, the disarming of the armed forces of the two last-named, the liquidation of ONUC within one month, the removal of the Secretary-General from his post and the granting of assistance and support to the legitimate government of the Congo, headed by Mr. Gizenga.

The representative of the United States stressed that the constant Soviet attacks were calculated to place more obstacles in the path of a settlement of the question of the Congo; they did violence to any respect for justice and were an ill-disguised attack on the United Nations, whose survival as an instrument of peace and progress they imperilled. His Government would oppose with all its strength the Soviet demand for the resignation of the Secretary-General and for the liquidation of ONUC within one month. He also pointed out that the Congo and the United Nations desperately needed a period of quiet and constructive co-operation.

The position taken by the USSR and the proposals it had put forward were supported by the representatives of Albania, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Poland, Romania and the Ukrainian Soviet Socialist Republic.

The representative of Brazil stressed the need for restoring the prestige of the United Nations and strengthening its authority in the Congo; that could only be done to the extent to which the authority and mandate of the Secretary-General were likewise strengthened. The Security Council had often erred, he said, through excessive caution and its decisions had not given the Secretary-General a clear-cut mandate and the necessary means of action.

The representatives of Senegal and Uruguay were also of the opinion that the Secretary-General's mandate had not been stated in sufficiently clear terms.

The Minister for Foreign Affairs of Ireland, who declared that the Secretary-General retained the confidence of the overwhelming majority of Member States. Some States, admittedly, might differ from the Secretary-General in his interpretation of his mandate and still remain loyal and useful Members of the United Nations, but it was inadmissible that any Member of the United Nations could combine professions of loyalty to the Organization with a sustained campaign to bring its Chief Executive into contempt. If the small and middle Powers remained loyal to the Charter, he said, the United Nations would survive and its influence would be strengthened.

On 28 March the representative of the Congo (Leopoldville) stated that the Secretary-General and certain Member States were showing a tendency to substitute a dangerous and more ambitious mandate for that which was bestowed by the resolutions of the Council and the Assembly. The United Nations, he said, had been completely or partially successful in the exercise of its responsibilities in connexion with the maintenance of international peace, but it had failed, and would continue to fail, in so far as it aspired to administer the Congo instead of assisting it and to dictate solutions instead of helping to put them into effect. Most of the difficulties of the United Nations in the Congo arose from the fact that it had departed from the basic resolution of 14 July, which had embodied the principle of mutual consultation in the drawing up of projects and plans and not merely in their execution. Nevertheless, the resolution of 21 February could be interpreted as broadening the mandate of the Secretary-General to such an extent as to infringe Congolese sovereignty in many fields. It was doubtful whether the Assembly would be able to produce a single and accurate interpretation of that resolution, the gaps and defects in which were attributable to the atmosphere of hot haste in which it had been adopted, as a result of the indignation to which the tragic death of Mr. Lumumba had given rise. Those reasons explained the reservations of the Congolese Government with regard to that resolution, the implementation of which called for delicate negotiations, which were in progress and from which the Congolese authorities anticipated satisfactory results. According to the representative of the Congo, the enemies of the Congolese people had managed to obtain the adoption of some resolutions whose very application would imperil the existence of the United Nations; they had then devoted their efforts to sowing dissension in the Advisory Committee and the Assembly, discrediting the Secretary-General and above all undermining the United Nations.

Some representatives, including those of Ghana, Iraq, Mali, the United Arab Republic and other Afro-Asian States, and some countries of Eastern Europe asked for sanctions to be imposed against Belgium if that country failed to withdraw all the Belgian personnel who were still in the Congo within a clearly specified period. The Minister for Foreign Affairs of Ghana suggested that the period allowed should be one month and that force should be used if necessary.

The representatives of Argentina and Uruguay suggested that a committee of good offices should be set up, its membership to be based on the principle of universality, and that the United Nations forces should be gradually withdrawn after—and not before—some progress had been made towards national reconciliation.

Various speakers attacked the decisions taken at the Tananarive Conference for the establishment of a confederation of Congolese States, claiming that that conference had been the work of colonialists who were trying to dismember the Congo. Other representatives supported the trend that had appeared at Tananarive, which, according to them, represented a realistic effort to solve the constitutional problems of the Congo.

Certain speakers criticized the attitude of the Special Representative. The representative of the Congo (Leopoldville) declared that Mr. Dayal had withdrawn into his ivory tower, cutting short the essential discussions, that he had failed to appreciate the nature of his mission, which was that of a deputy, and that he had tried to lay down the law instead of co-operating with the Congolese authorities.

The representative of Argentina intimated that a change in the ONUC personnel might be necessary in order to restore the necessary atmosphere of confidence in the United Nations among the Congolese authorities.

On 5 April the Secretary-General presented some comments regarding a side issue which had been brought to the fore in the debate on the Congo by a group of delegations: namely, the question of the removal from office of the present incumbent of the post of Secretary-General on the grounds that he was responsible for the murder of Mr. Lumumba and that he was a party to a plot hatched by the colonialists. While he refrained from commenting on those accusations in personal terms, the Secretary-General pointed out that no attempt had been made to support those accusations by any single fact and that in no Parliament jealous of its integrity could such allegations be made without those who made them being asked to justify their case.

The criticisms that had been made recently had presented a new element, he said, in that the Secretary-General had been accused of usurping the prerogatives of the various bodies of the United Nations. In that respect he pointed out that on 14 and 22 July and 9 August the Soviet Union representative had voted in favour of resolutions which had given him a general authorization and had implied a request for immediate action. Those resolutions had been confirmed and supported by the General Assembly again and again. On several occasions the Secretary-General had suggested —in vain—to the Council and the Assembly that an organ should be set up, with proper authority, to share his responsibilities. No such decision had ever been taken, however, and the Secretary-General had taken the initiative, at the end of August 1960, of arranging for standing consultations with a group including representatives of all the States participating in the military operation.

The fact was that the efforts of the members of the Soviet group to build up a case against the Secretary-General had one sole purpose: to try to force him to resign from office. He did not, however, consider that he was entitled to present the General Assembly with a *fait accompli* by resigning. As, however, he regarded the will of the Assembly as his law, the Assembly could consider itself to be seized with a standing offer of resignation on his part if it thought that it would be in the best interest of the United Nations for him to leave. In determining their position Member States would undoubtedly wish to take into account, on the one hand, the reduction in the usefulness of the Secretary-General caused by the withdrawal of co-operation with him by one of the permanent members of the Security Council, and on the other hand the fact that by withdrawing its co-operation with the Secretary-General and requesting his resignation a great Power was *de facto* extending its right of veto from the election of the Secretary-General to his conduct of business throughout his established term of office. They might consider to what extent that could be reconciled with the international and independent character of his office as laid down in Article 100 of the Charter.

If, he added, the Assembly did not, formally or otherwise, express its wish that action should be taken in accordance with the Soviet demand, the Secretary-General would conclude that it did not expect him to proceed on the basis of his offer of resignation, which he maintained, and that it did not wish to avail itself of the possibilities that offer had opened.

During the discussion four draft resolutions were submitted. Under the terms of the first, which was submitted by a group of twenty Afro-Asian Powers and Yugoslavia, the Assembly would decide that the personnel of the type referred to in the Council resolution of 21 February must be completely withdrawn and evacuated within a period not exceeding twenty-one days, failing which necessary action should be taken in accordance with the Charter. In introducing the twenty-one Power draft resolution, the Minister for Defence of India said that his Government had felt that the withdrawal of Belgian and other foreign personnel should be requested forthwith, but it had accepted the views of other delegations which had suggested a period of twenty-one days. He expressed the hope that the withdrawal could be carried out without military action.

The second draft resolution, submitted by a group of seventeen Afro-Asian Powers, provided that the Assembly, after taking note of the report of the Conciliation Commission appointed in pursuance of resolution 1474 (ES-IV), would call upon the Congolese authorities concerned to desist from attempting a military solution to their problems, consider it essential that measures should be taken immediately to prevent the introduction of arms and military equipment into the Congo, urge the immediate release of the political leaders, including the members of Parliament now under detention, urge the convening of Parliament, in accordance with constitutional procedure, under United Nations protection, to take the necessary decisions concerning the formation of a national government and the future constitutional structure of the Congo, and decide to appoint a Commission of Conciliation of seven members to be designated by the President of the General Assembly to assist the Congolese leaders to end the political crisis. The representative of Pakistan, speaking on behalf of the sponsors of the seventeen-Power draft resolution, said that the text was a compromise representing the highest common denominator between the different points of view on the question of the Congo. He also pointed out that the composition of the new Conciliation Commission should be based on the principle of universality.

On 7 April a third draft resolution was submitted, this time by the Soviet Union. Under its terms the Assembly would urge that the Parliament should be convened within twenty-one days and would express its concern at the attempts that were being made to dismember the country.

Various amendments were submitted to the first two draft resolutions.

The Republic of the Congo (Leopoldville) submitted an amendment to the twenty-one Power draft resolution whereby the words "within a period not exceeding twenty-one days, failing which necessary action should be taken in accordance with the Charter of the United Nations" would be replaced by the words "as soon as they are replaced by personnel recruited with the assistance of the United Nations, with due respect for Congolese sovereignty".

A group of ten African Powers submitted an amendment to the twenty-one Power draft resolution which would have extended the period allowed for the withdrawal of the Belgian and foreign personnel from twenty-one to forty days. This amendment was later withdrawn.

Two series of amendments were submitted to the seventeen-Power draft resolution. The first, submitted by eight African Powers, was to delete any reference to the Security Council resolution of 21 February, to replace the reference to convening Parliament by a request to the Chief of State to make provision for a return to normal parliamentary life, and to change the title of the proposed Commission of Conciliation to "Commission of Assistance". The second series of amendments, submitted by Guinea, was to delete any mention of the Secretary-General, to delete the paragraph concerning the appointment of a new Commission of Conciliation and to delete any reference to the fact that the Congolese Parliament would consider the future constitutional structure and the formation of a national government. These amendments were withdrawn before the vote.

On 14 April a fourth draft resolution was submitted by Ceylon, Ghana, India and Morocco. Under its terms the General Assembly would decide to establish a Commission of Investigation, consisting of four members, to inquire into the circumstances of the death of Mr. Lumumba and his colleagues.

The general debate came to an end on 7 April. During its last days some representatives continued to attack the Secretary-General. A large number of speakers protested vigorously against the tone and the purport of the criticisms to which the Secretary-General was subjected by the Soviet Union and other countries. They pointed out that the question of the reorganization of the Secretariat should not be linked to that of the Congo. They considered that the violent attacks made by the Soviet Union and its demands for a change in the structure of the United Nations were an attempt to sabotage the United Nations. The representatives of small and middle Powers reaffirmed their faith in the United Nations and in the need for its existence.

The representative of the Soviet Union maintained his point of view with regard to the removal from office of the Secretary-General and the latter's subservience to the colonialist Powers. He also said that he found it impossible to accept the paragraph in the seventeen-Power draft resolution which spoke of effective measures to be taken by the Secretary-General to prevent the introduction of arms and military equipment into the Congo, for, he said, that provision would give the Secretary-General new responsibilities when he had already allowed the troops of Tshombe and Mobutu to receive Belgian and French military equipment. Lastly, he objected to the general trend of the draft resolution, especially in the provision for the establishment of a new seven-member Commission of Conciliation, for, he emphasized, conciliation could not be bought at the price of maintaining in power usurpers who were selling the Congo piece by piece. As far as the twenty-one Power draft resolution was concerned, he thought that, despite its gaps, it embodied one important provision, in that it fixed a time-limit for the withdrawal of foreign personnel and mentioned the possibility of sanctions if that provision was not complied with.

A number of speakers pointed out that the present problem was not the withdrawal of the regular Belgian troops, since they had already been withdrawn, but the activities that personnel of Belgian or other foreign nationality, acting in various capacities, were carrying on in the Congo. The representative of Tunisia declared that it had been Belgian military personnel who had directed the Katanga *gendamerie* during the military operations against other Congolese provinces and even against the United Nations forces.

The representative of the United Kingdom, on the other hand, warned the Assembly against a tendency to lose its sense of proportion and to attribute any development in the Congo that was not to the liking of certain delegations to the machinations of the Belgians. The Belgian Government, he added, had accepted the United Nations resolutions and had done its best to apply them to those of its nationals over whom it was in a position to exercise any kind of control.

The representative of Pakistan said that while the removal of foreign elements from the Congo was necessary it was not enough to ensure the restoration of peace and tranquillity.

The representative of the Congo (Leopoldville) intimated that certain countries which made a great show of their respect for Congolese parliamentary life and the *Loi fondamentale* had done much to hamper the negotiations undertaken with a view to reconciliation by sending ambassadors to the rebel Stanleyville régime and interfering in the internal affairs of the Congo. It was therefore hypocrisy on their part to give the impression that the Belgian element alone could be made responsible for all the difficulties of his country. He also pointed out that if the principle of an international investigation of the death of Mr. Lumumba and his companions was accepted, it would also be necessary to inquire into the fate of the persons who had been executed at Stanleyville, for otherwise it would be a reflexion of bias and of complicity with the Stanleyville authorities.

The representative of Belgium said that the two dominant themes in the speeches made by certain representatives had been, firstly, the representation of Belgium as responsible for all the evils afflicting the Congo and the recommendation, as a panacea, that all Belgians should be withdrawn from the Congo, and, secondly, vilification of the Secretary-General. He reaffirmed the attitude of his country, which could be summed up as respect for the decisions of United Nations bodies, including the decision of 21 February, and for the integral sovereignty of the Congo, and a readiness to co-operate with the Congolese Government on an equal footing and to prevent any export of arms and military equipment to the Congo. The Belgian Government had decided, he said, to withdraw the personnel mentioned in the resolution of 21 February and it had had all the military personnel whose mission could be terminated by a unilateral decision of the Belgian authorities brought back to Belgium. On 24 March there had been only 193 officers and non-commissioned officers belonging to the former *Force publique* still in service in the Congo, while practically all the civilian personnel had consisted of technicians in the strict sense of the word. The latter, although of Belgian nationality, owed allegiance to the Congolese authorities, which employed them as officials under Congolese constitutional provisions. To the extent to which those persons might come under the resolution of 21 February, their withdrawal could only be effected with due respect for Congolese sovereignty. The Belgian Government, for its part, was prepared to co-operate with the Congolese authorities and the United Nations in arranging as rapidly as possible for the departure of the personnel in question and their replacement by United Nations personnel. As far as the recruitment of mercenaries was concerned, the Belgian Government had never had anything to do with it and had discountenanced it; it had done all it could to prevent the departures of volunteers for the Congo. There had been only twenty-six such cases known to the Belgian services.

The various draft resolutions and amendments were put to the vote on 15 April.

The two parts of the amendment submitted by the Congo (Leopoldville) to the twenty-one Power draft resolution were put to the vote separately. They were not adopted, having failed to obtain the required two-thirds majority.

The twenty-one Power draft resolution was put to the vote in parts. The phrase "within a period not exceeding twenty-one days, failing which necessary action should be taken in accordance with the Charter of the United Nations" was not adopted, having failed to obtain the required two-thirds majority. The draft resolution as a whole, as amended, was adopted by 61 votes to 5, with 33 abstentions.

The three amendments submitted by a group of eight Powers to the seventeen-Power draft resolution were rejected.

The seventeen-Power draft resolution was put to the vote in parts. The draft resolution as a whole was adopted by 60 votes to 16, with 23 abstentions.

The USSR draft resolution was rejected by 53 votes to 29, with 17 abstentions.

The four-Power draft resolution was put to the vote in parts. The draft resolution as a whole was adopted by 45 votes to 3, with 49 abstentions.

The USSR representative, explaining his vote, deplored the fact that the twenty-one Power draft resolution had been weakened by the deletion of any mention of a time-limit for the withdrawal of foreign military and political personnel from the Congo and of sanctions if that action was not taken within the stipulated period. He also renewed his attacks on the Secretary-General. So long as the United Nations troops were in the hands of the Secretary-General and his representatives in the Congo, he said, they were pursuing a dual purpose: to help the colonialists against the national forces and to prevent the national forces acting against the colonialists.

The Secretary-General replied briefly, not to answer the comments made about him personally but to protest against the fact that his collaborators had been termed acolytes of the colonialists. He pointed out that the implementation of the resolution of 21 February had been carried out in very close co-operation with the Advisory Committee; that the Special Representative and the officer who was temporarily replacing him were Indian and Sudanese respectively, that the Commander and his Deputy were Irish and Ethiopian respectively, and that the negotiations concerning the implementation of the resolution of 21 February were being carried out in Brussels by a Tunisian and at Leopoldville by a Ghanaian and a Nigerian.

B. CIVILIAN OPERATIONS

Civilian operations in the Congo are an undertaking without precedent in the history of the United Nations. They have been and remain the most comprehensive technical assistance effort ever planned in the Organization. To face the many needs of a country acceding to independence without qualified personnel of its own in any sector and suffering a mass exodus of foreign technicians, a departure was made from the traditional pattern of United Nations technical assistance according to which the Organization and the specialized agencies provide assistance in their respective fields in a co-ordinated manner but under no single authority. To give effect to the wishes of the Security Council for an integrated effort, technical assistance activities in the Congo were placed under a Chief of Civilian Operations, consulting with the Special Representative of the Secretary-General in the Congo on all political and military questions but reporting to the Secretary-General. The Chief of Civilian Operations has been advised by a Consultative Group made up of senior experts including, for each specialized agency, the head of the group of experts put at the disposal of ONUC.

While ONUC civilian operations are intended to be the major form and medium of assistance to the Republic of the Congo and will most probably become so in the long run, their role has been limited and often overshadowed during the first year of ONUC by the political and military difficulties which have beset that new Republic. The break-down of law and order in many areas, the widespread insecurity occurring intermittently throughout the country, prevented civilian operations from functioning beyond the points where there were ONUC forces to provide a reasonable degree of protection to ONUC experts. Another and important limiting factor was, after September 1960, the absence of any government of nation-wide authority with which to deal. On the other hand, the seriousness of the disruption of economic and social life created emergency situations with which it would have been impossible to cope had it not been for the machinery and resources available to ONUC for civilian operations.

As will be seen in the following sections, in almost every field there have been emergency operations, such as famine relief, prompted by the overriding need to alleviate critical hardships or prevent irreparable damage, and longer-range efforts, such as training activities, aimed at providing a sound basis for rehabilitation and further development. In every field, the preoccupation was to operate "in forms which do not in any way infringe upon the sovereignty of the country or hamper the development of the national administration", and in such a way as not to prejudice the interests and choices of the national authorities to be chosen by the Congolese people after the reconciliation of political factions. The objective has throughout been an improved situation to enable more stable and experienced authorities to dispense gradually with foreign assistance, including that of the United Nations.

The efforts made and the results achieved would not have been possible without the contributions voluntarily pledged to the United Nations Fund for the Congo by those Member Governments which wished to play a part in helping that country through its difficult first steps in independent life, and by charitable organizations which participated in relief operations. In June 1961, however, the cash resources of the Fund, which was created on 20 September 1960 by the General Assembly in its resolution 1474 (ES-IV), amounted to less than $18 million, which had been almost utilized in full for allotments to approved projects, as against requirements evaluated at $100 million by the Secretary-General in his fourth report to the Security Council on the situation in the Congo in September 1960.

(*a*) FINANCE AND ECONOMICS

As the Republic of the Congo acceded to independence, it became necessary to replace or bring under Congolese sovereignty the financial and fiscal institutions of the country which were operating in Belgium or under Belgian control, and to provide for the orderly transfer to the Republic of the Congo of their assets, liabilities and management. With the help of the International Monetary Fund, the United Nations made technical assistance available to the Congolese authorities for the negotiations and arrangements needed to enable the Congo to start independent life on a sound financial basis. Very soon, however, the difficulty of the problems involved was enhanced by the break-down of diplomatic relations with Belgium, the exodus of Belgian technicians and the secession of Katanga, the most important Province of the country in terms of contribution to national income, government revenue and foreign exchange earnings. With the political disorders which followed, the economic and financial situation went on deteriorating. The split of the country into three almost disconnected areas, the spread of insecurity, anarchy and violence through large parts of the territory crippled production, disrupted transport and diverted or paralysed trade to the point that except for Katanga, whose foreign exchange earnings remained fairly steady, exports dropped to a fraction of their pre-independence volume although they should have increased by 10 per cent to maintain foreign exchange proceeds at the 1959 level. On the import side, the contraction experienced immediately after independence and the departure of many Belgians was soon replaced by a demand growing each month in quantitative and qualitative importance, as, in addition to indispensable consumer goods, spare parts and capital goods were increasingly needed to maintain in operation equipment suffering from abnormal wear and tear, inadequate maintenance and obsolescence. Foreign exchange was also needed for essential remittance abroad, not to mention the service of the Congolese external debt which has been temporarily suspended. But the situation worsened to a point at which monthly foreign exchange proceeds became insufficient to cover even half of the imports considered of essential importance.

In the field of public finance, the prolonged political disorders have brought about a similar imbalance. Revenue collections have dwindled while the expenses of government have grown month after month mainly because of uncontrolled expenditure and more generous salaries to a number of officers, soldiers, government officials and employees than in the pre-independence days. Thus, during the second half of 1960, the receipts and expenditures of the treasury in Leopoldville totalled CF 2,300 million and CF 6,000 million, respectively; the corresponding figures for the first half of 1961 were CF 4,500 million on the expenditure side, as against a revenue of CF 1,700 million, making a deficit of CF 6,500 million for the first twelve months of independence. Although 90 per cent of this deficit was met by repeated advances from the Monetary Council, there were no immediate and generalized price increases as the shortage of supplies was partly offset by the withdrawal of many consumers from the market and the building up of idle cash balances. However, if the reconciliation of the political factions should check the drift towards subsistance economy and lead to a resumption of normal economic activity and gainful employment for thousands of idle workers, this will stimulate consumer demand and the activiation of cash balances. The increasing danger indeed is that improvements of the political situation may be jeopardized in the near future by run-away inflation if imports are not adequate to cope with anticipated essential consumer requirements and to prevent bottlenecks in productive capacity, and if public revenue and expenditure are not brought under rigorous control.

These preoccupations have been reflected in ONUC efforts and in the assistance given to the authorities throughout the period. In September 1960, United Nations financial experts helped in the negotiations which led to the agreement between Belgium and the Republic of the Congo on the liquidation of the former *Banque centrale du Congo belge et du Ruanda-Urundi*, which was ratified on 17 January 1961 by the Belgian Parliament. The experts also assisted in the drafting of statutes for a Congolese national bank and helped the Congolese authorities to set up a Monetary Council to act as the country's monetary authority with the prerogatives of a bank of issue until circumstances are favourable for the activation of the national bank. The Executive Chairman of the Monetary Council is a non-Congolese senior financial expert provided by the United Nations. The financial experts attached to ONUC have assisted in the establishment and management of a Foreign Exchange Office and an Import Licensing Office and in the training of their staff; through these offices, foreign exchange transactions are subjected to strict regulations and control. ONUC experts also helped, advised and provided training for the customs authorities and the authorities in charge of tax administration, collection, verification and control. In addition, background studies and economic and financial analyses were produced to assess the elements of the situation, determine priority requirements and form a basis for recommendations.

In October 1960, financial aid was extended by the United Nations in the amount of $5 million. With the increasingly rapid deterioration of a situation which could not be met by drawing further on depleted foreign exchange resources and by repeated advances from the Monetary Council, the need became increasingly felt for further external financial assistance and for a tightening of fiscal controls. In May 1961, at the request of President Kasa-Vubu, the Secretary-General sent a mission to Leopoldville to discuss the provision of financial assistance. This led to an exchange of correspondence, outlining urgently needed internal measures for the implementation of which additional ONUC technical assistance was requested, and an agreement providing for United Nations financial assistance subject to strict conditions as to its use. The agreement was signed on 12 June 1961, following which $10 million were made available by the United Nations to the Monetary Council for meeting essential import and financial transfer requirements in a non-discriminatory manner, i.e., for the benefit of the country as a whole. Concurrently, the United Nations has undertaken to provide teams of experts to strengthen the machinery for supervising the expenditure of public funds, as well as budget and tax experts with a view to putting Congolese finances on a sounder footing by curtailing current expenditure and increasing revenue.

(*b*) AGRICULTURE

Events since independence have led to a virtual collapse of the agricultural services built up under the Belgian administration. All Belgian agricultural engineers left in July 1960 and only a few returned later to stay. The one and only Congolese agricultural engineer has become a high official in the Ministry of Agriculture and most of the Congolese instructors at the service of local authorities have been dismissed, those still in service being paid irregularly. There is no immediate prospect of Congolese agricultural engineers becoming available to replace the Belgians who have left; at Lovanium University, where six years of studies are required for a degree in agronomy, there are six professors for six students, of whom only three are Congolese.

The situation of the small co-operative farms is becoming critical as the agricultural machinery is rapidly running down since the departure of Belgian mechanics. Unless Congolese are trained to maintain this machinery, these farms, which number about 200,000, scattered throughout the country, will be crippled.

Rubber, palm, coffee and cocoa plantations have suffered throughout the country owing to lack of funds, supervision and care. In Orientale Province, out of 990 plantations, about 40 per cent have been allowed to run to waste since their Belgian owners left the country. Lack of insecticides has resulted in a recrudescence of pests and insects and the blockade of river traffic between the Orientale and Equateur Provinces, which lasted until the end of April 1961 and impaired the harvesting of the coffee crop and the processing and marketing of the cotton crop.

Under such conditions, ONUC assistance has concentrated on the training of Congolese personnel for higher responsibilities with all possible speed (see section (*k*) below). In January 1961, about 55,000 doses of vaccine were rushed by ONUC to control rinderpest which had broken out in Equateur and spread to the Orientale Province, and the services of a veterinarian were put at the disposal of the authorities in the latter Province. A veterinarian was also made available to the authorities in Kivu, which were also provided with vaccine to avert the threat of rabies. In the Leopoldville Province, ONUC assisted in nine fertilizer demonstration projects and in the launching of three vegetable-growing schemes aimed at satisfying the big city demand and at increasing the farmers' income by giving them off-season employment. ONUC experts, provided by the Food and Agriculture Organization of the United Nations, have also prepared background papers on agricultural organization and policy and drawn up food balance sheets.

(*c*) PUBLIC ADMINISTRATION

In July 1960, the massive withdrawal of the Belgian officials, who, up to the eve of independence, were performing practically all public administrative and managerial functions, created a vacuum which was all the greater because rarely before independence had any Congolese reached an important post in the civil service. To fill this vacuum, the Congolese authorities resorted to wholesale promotions which resulted in elevating clerks and book-keepers to positions of directors and secretaries-general, without their having received any training or preparation for assuming the responsibilities attaching to their new functions. Furthermore, the majority of Congolese civil servants under the Belgian administration consisted of "contractual" employees who had neither the status nor the salaries of their "statutory" colleagues and resented a distinction which, in their opinion, independence should have abolished.

ONUC public administration experts first undertook the planning of a rational administrative structure for existing or new government departments. With respect to the latter, an initial step was to stimulate the establishment of a department which would be responsible for the civil service, and, at the same time, to define the jurisdiction of other departments, taking into account constitutional requirements and the demands of efficient operation.

To assist the Congolese authorities in this direction, ONUC public administration experts drew up organizational charts and defined the functions of the officials responsible for the operations of the various government departments, including those for foreign trade, education, agriculture, public works, health, finance, communications, interior, justice, and economic affairs. This task was of extreme urgency, since officials were often invested with important functions before the services for which they were assuming responsibility had been endowed with a minimum of administrative machinery.

ONUC experts also prepared and discussed with Congolese officials draft statutes for the civil service with a view to unifying and simplifying existing regulations and adapting them to post-independence needs so as to do justice to all civil servants possessing the necessary qualifications. At the same time, and in conformity with the draft statutes, staff rules and regulations were drafted and discussed, covering the various categories of officials in the various government departments and providing for the recruitment, conditions of service and promotion of career civil servants. Advice was also given in connexion with the conversion into career civil servants of the former contractual employees so as to ensure that in each case full attention would be given to qualifications and experience. Plans have been made for the setting up of a technical inter-departmental committee which would examine regularly the technical assistance needs of the civil service. Special efforts were made to help Congolese civil servants to learn to discharge their functions efficiently (see section (*k*) below).

(*d*) EDUCATION

To cope with a critical shortage of teachers throughout the Congo, ONUC arranged in October 1960 for the recruitment of teachers by UNESCO. Political disturbances and the break-down of law and order reduced the number of teachers who could be usefully recruited and later the number of those willing to take up their posts so that, eventually, by mid-March 1961, ONUC had been able to provide on a firm basis only sixty-four teachers from eleven different countries, for whom it had to assume all costs, including those incurred for housing and local transport. Some of these teachers had subsequently to be reassigned owing to the deterioration of security conditions; thus, at the end of May 1961, the regrouping of ONUC forces in the Province of Kasai led to the withdrawal of thirteen teachers who had been working in Bakwanga and Merode.

ONUC experts provided by UNESCO first collected information on teaching in the Congo and its attendant problems to permit an emergency assistance programme to be drawn up. They then began to assist Congolese authorities in tackling the problems of the administration and organization of the educational system which, following the exodus of Belgian officials, were left in the hands of a staff unable to assume its responsibilities. As at 15 June 1961, there were sixteen ONUC educational experts in the Congo, including several experts in administration and budgetary matters, a statistical expert and an expert in vocational guidance. Two experts in educational research and school curricula helped in a revision of teaching programmes and methods which should eventually unify the various types of teaching now prevalent in the Congo. An expert in technical training is studying the possibility of including an introductory course in technology in the curriculum for the first two years of secondary school. As a result of the recommendations of one of the primary school experts, six of the teachers temporarily withdrawn from Merode and Bakwanga have been sent to Kamina Base where they have assisted in improving the quality of teaching at the school of the Base.

The need for the training of teachers, particularly of secondary school teachers, and for the training of management and inspection personnel led to the undertaking of two training projects referred to in the section "Training and fellowships" (see section (*k*) below) pending the formulation of a long-term programme for the development of teaching.

ONUC has also made funds available twice to help the Institute for Scientific Research in Central Africa (IRSAC) to continue its work. Manuals and other teaching material and supplies needed by Congolese schools were obtained abroad through the UNESCO Coupon Scheme.

(*e*) HEALTH

A few days after independence, the majority of the doctors had abandoned their posts and much of the remaining trained medical personnel had also disappeared. There was not a single Congolese doctor in the country and many Congolese medical workers had left their posts to avoid persecution arising from tribal conflicts. No reliable information on epidemics could be obtained and the outbreaks of tribal fighting were frustrating attempts to operate in the interior of the provinces. The United Nations set out to recruit immediately a sufficient number of doctors and technicians to provide reasonable medical services in the main centres and to get preventive medical services going so as to prevent the outbreak of disastrous epidemics.

With the help of the League of Red Cross Societies and the International Committee of the Red Cross, medical teams from more than twenty countries were immediately dispatched to the Congo. ONUC medical experts provided by the World Health Organization were made available to advise the Congolese authorities, as well as a large number of specialists. Fear of insecurity and lack of knowledge of the French language hampered recruitment, but, by the end of June 1961, some 100 specialists, in addition to the advisory teams, were working in the Congo.

An emergency programme was organized at an early stage to increase quickly on the spot the technical skills of those Congolese who already had some elements of medical knowledge. In spite of the difficulties encountered, accelerated courses were given to water-purification technicians and nurses in Equateur, Kasai, Orientale and Kivu Provinces. In addition to fellowships for study abroad (see section (*k*) below), a course for public health personnel and courses for laboratory technicians to be given within the Congo have been planned and await action from the Congolese authorities. Apart from formal programmes, each ONUC doctor or technician undertakes to train the Congolese working with him.

The United Nations did not originally plan to undertake the responsibility of providing medical supplies and drugs to the Congo, but a critical shortage of the most indispensable pharmaceutical and medical products developed. ONUC had on several occasions to ask for gifts through WHO or to purchase medicines or other products, such as vaccines, antibiotics, aluminium sulphate, and pittchlore. Certain provinces could be supplied for several months only thanks to the action of the International Committee of the Red Cross, the League of Red Cross Societies and ONUC with the help of UNICEF. During the blockade of the Provinces of Orientale and Kivu, more than ninety-two tons of medicines were dispatched to these provinces by United Nations aircraft in response to the desperate appeals of the provincial authorities and of the United Nations own representatives. At the beginning of 1961, thirty-five station wagons were provided by UNICEF to enable medical teams to reach outlying areas.

(*f*) COMMUNICATIONS

Civil aviation

The departure of many Belgian technicians in the weeks immediately following independence resulted in the almost total break-down of the essential ground services ensuring the safety of air traffic in the Congo. The operational responsibility for these services fell upon Congolese personnel who had had but very superficial instruction in air traffic control, while the prevailing insecurity throughout the country and the hazards and delays encountered in transport by road, rail or river made aviation an essential means of transportation.

In the circumstances, ONUC immediately intervened with the help of experts provided by, or recruited through, the International Civil Aviation Organization to ensure the continuity in the operations of essential ground services, the safety of air traffic under all weather conditions, and the maintenance of aeronautical radio facilities and radio aids to air navigation, as well as to provide advisers to the Congolese authorities and to provide for the training of Congolese personnel.

Since July 1960, ONUC experts have been maintaining air traffic services in operation and providing practical, on-the-job training to Congolese staff at the airports of Coquilhatville, Leopoldville (Ndjili), Luluabourg and Stanleyville. To meet the needs of ONUC air operations, personnel has also been provided at the air bases of Kamina and Kitona and one expert has been stationed in Goma. In Kamina, a relay station was installed in November 1960 and provided Leopoldville with the supplementary information necessary for the control of an increasing density of air traffic and assisted in air-lift operations. A team of experts was sent to Bakwanga to take charge of air traffic control when famine relief operations started and ensured the safety, between 23 December 1960 and 8 May 1961, of 1,710 flights of emergency supplies. Operational assistance was also given to Kindu airport when an airlift was organized in November 1960 to transport United Nations troops to the area.

ONUC civil aviation experts also installed a flight information centre at Leopoldville at the end of July 1960 to give assistance and information to aircraft flying over the Congo. The centre was organized to function with both radio-telephony and radio-telegraphy and practical training of the Congolese radio operators was begun immediately.

In order to keep radio aids to air navigation and other radio installations in operation, a mobile maintenance team of radio technicians was organized and operated at the aerodromes of Stanleyville, Coquilhatville, Bakwanga, Goma, Kindu, Luluabourg, Kikwit, Matadi, Boende, Libenge and Tshikapa. Its efficiency has, however, frequently been curtailed by the lack of spare parts.

The task of restoring maintenance and operational services was also hampered by the lack of security and by the deficiencies of the existing point-to-point communication network.

Meteorology

In July 1960, the functioning of the meteorological service was seriously threatened: out of sixty-one foreign experts, eighteen remained; the network of synoptic stations was disorganized, as some of the observers at these stations did not belong to the ethnic groups of the region concerned and were obliged to leave; the stations operated erratically; lack of information, irregularity in its reception, faulty operation and the absence of qualified technicians prevented the making of ground and air analyses and the remaining services were so poor that it was impossible to guarantee flight safety protection, especially at the main airports.

The first steps taken by ONUC were to send forecasters to Ndjili (Leopoldville) and Stanleyville and to set up a temporary meteorological centre at the airport of Ndolo (Leopoldville). The experts began to arrive in August 1960; by 1961, there were eight, as well as three weather-map plotters, to teach Congolese personnel. By November, the forecasting service was maintained regularly from 4 a.m. to 6 p.m.; as from the end of May 1961, it has been maintained twenty-four hours a day.

The second measure was to improve the exchange of meteorological information, especially with the meteorological services of the Republic of the Congo (Brazzaville). As a result of the efforts made, it had become possible by April 1961 to plot satisfactory weather-maps covering all of Africa and a part of Europe.

The development of the service furnished by the group of aeronautical forecasters is shown from the number of flight forecasts. From August 1960 to May 1961, the number of coded forecasts rose from 18 to 301, flight forecasts from zero to 121, and aerodrome forecasts from zero to 186. Since mid-June 1961, Ndjili has been operating as a principal meteorological centre and furnishes flight forecasts to the supplementary centre of Kamina.

ONUC experts provided by the World Meterological Organization have also advised the Director of the Meteorological Service, prepared an over-all plan for long-term technical assistance and done preparatory work for the organization of training courses for meteorological observers.

Postal services

From August 1960 to date, three ONUC experts have been permanently attached to the Postal Administration of the Republic of the Congo.

The most urgent task in the first few months after independence was to maintain the operation of this service in so far as circumstances permitted. The withdrawal of all but one of the 175 Belgian officials, who had held all posts of authority and responsibility, the lack of trained Congolese personnel and the political dissensions produced a critical situation. Technical assistance concentrated on the inspection and correction of irregularities at certain offices in the Province of Leopoldville, at all the offices in Kivu and at some in Kasai, and on aiding the Directorate of Posts to bring to light its most urgent problems. At the same time, ONUC postal experts studied a reorganization of the accounting procedures applying to postage stamps and co-operated in preparing the issue of special stamps. They also helped to set up an accelerated course for training Congolese in the techniques of postal administration.

In recent months, efforts to maintain the postal services have met with success: postal relations with foreign countries have been reviewed; the system of international accounts has been brought up to date; surface mail and parcel post held up by the interruption of river traffic has been dispatched to the interior; and the flow of mail out of Leopoldville has been supervised.

The financial services of the Postal Administration, however, have suffered so much from being in charge of untrained or badly trained officials, often acting under political pressure, that their situation is nearly chaotic. Postal money orders and cheques, and financial operations involving the public treasury, for instance, have escaped control or are operated with such delays that corrective action is of little avail. Some measures for improvement have been taken on the recommendation of the ONUC experts, but a complete reorganization of the postal service is required, which will be difficult to bring about in view of all the problems involved.

Telecommunications

In October 1960, there were only twenty-four technicians left in the Congo out of a total of approximately 330 who were operating the country's telecommunications network before independence. Many installations were in very poor condition, owing mainly to negligence, poor standards of maintenance and intentional damage.

Preliminary surveys by the ONUC experts provided by the International Telecommunication Union revealed that emergency assistance was required. At the end of August, some thirty-three technicians had arrived in the Congo together with experts at the directorate level. Throughout the Congo, those experts have been maintaining telephone exchanges, broadcasting stations and studios, long-distance radio-telephone and radio-telegraph equipment and, in co-operation with ONUC civil aviation experts, telecommunications equipment used in connexion with the aeronautical services. They have succeeded in maintaining all the important national and international circuits. Where time and the workload permitted, ONUC technicians have also conducted training courses for the Congolese, but such training was, of necessity, very limited in scope. Wider training programmes are being envisaged but a limiting factor is the scarcity of Congolese personnel possessing the educational background necessary for technical training. By June 1961, the lack of technicians was still critical and the shortage of spare parts hampered the rehabilitation of the telecommunications network on a firm basis.

(*g*) LABOUR

Shortly after independence, the Ministry of Labour, like other ministries, found itself with no experienced Congolese staff in the higher administrative brackets and only a handful of Belgian technicians, mainly labour inspectors.

At an early stage, a plan for the reorganization of the Ministry was prepared by an ONUC expert in labour administration. Steps were also taken to organize a five-month training course for officials of the Ministry, the majority of whom had no experience in administration beyond the level of clerks.

Political difficulties and security hazards have limited the extent to which ONUC labour experts have been able to render advice on specific labour problems. In June 1961, however, a labour specialist visited the provinces in order to discuss with United Nations Civilian Affairs Officers the labour problems in their areas and to make contacts with local authorities.

Early in 1961, a decree revising existing legislation on employment contracts was promulgated by the Chief of State after approval of the College of Commissioners. The new decree abolished the discrimination which had existed between the legislation on contracts applying to employees (mainly non-African) and workers (mainly African) and substituted a revised system intended to be of general application. Its main lines had been the subject of extended discussions between the authorities and representatives of employers' and workers' organizations. At the same time, an ordinance containing regulations for application of the decree was promulgated without the views of employers and workers or other outside advice being sought, in spite of the fact that it contained a completely new system for the calculation of minimum wages which did not take into account ILO recommendations submitted to the authorities in September 1960. By June 1961, in the face of accentuated economic difficulties, discussions were taking place with a view to modifying the criteria for determining minimum wages.

In the autumn of 1960, the authorities sought ONUC assistance in the revision and simplification of the social security system. Since then, ONUC experts provided by the ILO have been working with a committee of Congolese officials and of representatives of the existing social security administration and of employers' and workers' organizations, to prepare new social security legislation. A draft law has been prepared, covering: workmen's compensation for industrial accidents and occupational diseases, including medical care; invalidity, old age, widows' and orphans' pensions; and children's allowances. The proposed scheme provides coverage for all employed persons, financing through contributions by employers and workers, and administration by a National Institute of Social Security under the direction of a governing body composed of four representatives each of government, employers, and workers. ONUC experts are likely to be needed for the preparation of the subsidiary legislation necessary for implementing the new scheme, if and when adopted, for the administrative organization of the National Institute of Social Security, and for the training of its staff at all levels.

Besides organizing training activities, ONUC experts have worked out proposals for the reorganization and development of training facilities for office employees at various levels which might be implemented at the beginning of the academic year in September 1961. In a wider context, a survey was undertaken of existing facilities for vocational and technical education and training and of the most urgent needs for which further international assistance should be envisaged. In the late summer of 1960 and again early in 1961, ONUC labour specialists made a thorough survey of the employment situation and collaborated in working out ways and means of improving it.

(*h*) SOCIAL AFFAIRS

Since September 1960, a United Nations social affairs adviser has been attached to ONUC headquarters in view of the difficulties experienced by the Congolese authorities with respect to the maintenance of essential social services. For the first six months of 1961, another social affairs officer worked at the United Nations administered base of Kamina to help the Congolese employees at the base and their families. In other provinces, particularly in Kasai, ONUC representatives have co-operated wherever possible with the provincial departments of social affairs. They have provided general co-operation and counsel on organizational and programming problems and, in certain cases, helped Congolese agencies to establish contacts with agencies dealing wtih similar problems in other countries.

Special attention has been given to the grave question of unemployed youth. At the end of 1960, when the *Chantiers de jeunesse* faced financial difficulties, a sum of CF 4.3 million was put at the disposal of the Congolese authorities to prevent the disintegration of these youth work camps and to assure their continuation until they can be merged into a broad organizational scheme of volunteer corps (*Volontariat du travail*). ONUC also provided funds for the construction of a youth sports stadium on the outskirts of Luluabourg.

ONUC is exploring the possibilities of sending Congolese to various countries abroad for training in social services, community development and housing, particularly youth leaders who are needed for giving impetus to the *Volontariat du travail*, and in providing experts to render technical assistance in these fields.

Of particular importance to ONUC activities in the social field was the contribution of UNICEF, whose financial support during the first year of ONUC civilian operations amounted to $948,000. In addition to the milk, other foodstuffs, medicaments and seeds made available to the refugees of South Kasai (see section (*i*) below), UNICEF provided food, milk and vitamins for distribution to children throughout the country and vehicles to give mobility to the doctors stationed in the Province. UNICEF experts attached to ONUC have been instrumental in the setting up of a milk distribution network to reach needy children all over the Congo, in co-operation with the League of Red Cross Societies, and of training programmes for teams of Congolese nurses' aides and rural leaders. Short training courses have been planned, in particular on maternal and child care, under the auspices of the International Children's Centre.

(*i*) THE REFUGEE RELIEF PROGRAMME IN SOUTH KASAI

In early December 1960, reports indicated that famine in South Kasai was widespread and that some two hundred persons a day were dying of starvation. The victims were Baluba refugees who had fled towards the east and south of Kasai Province. An emergency relief programme was organized by the United Nations which was able to draw upon and co-ordinate the contributions of many Governments, international and national organizations, and individuals in all parts of the world. After six months of emergency assistance and medical care, it was possible to report that the famine had been overcome and the death rate reduced to normal. Several thousand persons had died of famine before the United Nations effort began. The number of those saved may have approximated a quarter of a million.

Famine conditions in South Kasai were caused by tribal fighting which interrupted communications as well as the normal supply lines and interfered with the forwarding of relief supplies such as those sent by the United Nations in the autumn of 1960. When shortages developed into a famine situation, emergency operations were rapidly undertaken. UNICEF made two successive donations which permitted local purchase of food. These were followed by a grant from the United Nations. A small staff was put together at ONUC headquarters headed by a Relief Co-ordinator and within two weeks a field headquarters was opened in Bakwanga. In New York, a plea was made by the Secretary-General. In Europe, the Director-General of FAO requested contributions in food. By mid-January sufficient supplies were promised or actually on the way to guarantee success of the operation provided distribution was sufficiently well planned and executed. Until the end of February, when sea shipments began to arrive in Matadi, supplies of food had to be airlifted from the points of purchase to Bakwanga. A system of local distribution was developed to carry food and medical supplies from the arrival depots in Bakwanga to the towns, villages, hospitals and dispensaries in the famine areas. In addition, seeds were provided and quickly dispatched to South Kasai so that they would be in time for the February sowing season; this part of the operation, for which FAO assumed the main responsibility, was aimed at assisting the refugees to re-establish themselves.

Activities in Bakwanga were hampered in the earlier stages by suspicions and lack of understanding on the part of some local officials. Soon, however, Bakwanga itself became the base of an efficient distribution system. Religious and charitable organizations played their part, and local authorities gave assistance in the final stages of hand-to-hand distribution to individuals and families. But the core of the operation was a small ONUC staff, augmented by a highly disciplined and devoted staff of Congolese clerks, mechanics, loaders and drivers. A fleet of thirty trucks was gradually assembled and these carried daily sixty or seventy tons of food to all parts of the famine area.

By the end of April 1961, a survey by an ONUC medical team showed that the incidence of various types of diseases in South Kasai was about normal compared with that of other rural areas in the Congo and that there were comparatively few cases of severe malnutrition. Adequate food supplies were largely responsible for the change, but an important contribution to the better health conditions was made by the four doctors supplied by WHO and the International Red Cross, two nutritionists from FAO, and ONUC's Austrian Army Medical team which established a tented hospital and gave assistance at two other hospitals. Medical supplies had been contributed by the International Red Cross, by several national Governments and by the United Nations.

Owing to military and political events, the relief operation had to be suspended in early May 1961. At that time, food was being brought into the Province and distributed at an average rate of seventy tons a day. Hospitals and dispensaries were benefiting from the active aid and advice of ONUC and International Red Cross doctors and nutritionists. Seeds had been supplied and planted to ensure a harvest in June.

The ultimate objective of the operation was to render the refugees self-sufficient; whether this has been achieved is still far from clear. Five hundred tons of seeds were brought in and sown. The June harvest appeared to be a moderately good one, but estimates of future local production in a savannah area which has not a good record of productivity cannot be optimistic. Food will be available but whether it will be sufficient to carry the population over until the new harvest in December remains uncertain.

There may be an influx of additional refugees in the period before the next harvest in December which may prove too great a strain on the food resources of the area, and a careful watch is being maintained for any signs of a new famine.

(*j*) PUBLIC WORKS

Immediately after independence, the United Nations carried out an exceptional project: the desilting of Matadi harbour. Thereafter, ONUC activities in the field of public works started on a sustained basis, when small teams of Swedish engineers were assembled in the middle of August 1960, to establish a programme of works for the relief of unemployment in five provinces of the Congo. By the end of September 1960, lists of possible projects for each of the provinces had been established, requiring a total expenditure of CF 262 million (equivalent to $US5,240,000) and designed to give work to some 16,000 people for a period of three months. This programme was intended to give an immediate boost to the rehabilitation of the Congolese economy. Owing to the political and financial difficulties which followed, however, the programme could only be implemented gradually at a reduced level of expenditure.

In June 1961, the total amount available for the programme was CF 171,500,000. Of this, about CF 167 million has been allocated to projects selected by the Congolese authorities, and controlled as to their purpose, execution and payments by ONUC, which takes care to avoid any interference in the regular governmental procedures for planning and supervising the works, while safeguarding its rights to satisfy itself that these procedures are indeed followed and that the work is executed properly.

Preliminary work started at the beginning of September and, by the middle of October, 1,200 workers were employed. Their number increased to 2,500 in December and 4,000 in February. Subsequently, there has been a decrease, as some of the projects were completed, but new ones have meanwhile been started and it is expected that the 5,000-mark will be passed very shortly.

In Leopoldville, the major work has been the drainage project for the Stanley Pool swamp. A sixty-hectare area has been almost entirely cleared, and a small experimental plot of nine hectares has already been planted with vegetables. Another project concerned the widening and lining of the Yolo river bed and construction of ancillary drains to prevent flooding of a large housing area.

In Coquilhatville, a contract for drainage of a low-lying area of the town was made in January; the project will transform a breeding ground for mosquitoes into a healthy residential area. Work is in progress for the completion of pastures, paddocks and corrals at the Coquilhatville slaughterhouse. The rehabilitation of abandoned oil works is being considered, which would provide indirect employment for 2,500 families in the vicinity.

In Luluabourg, four projects have been launched, three of which have been completed, the most important consisting of improvements to the town water supply. Important work has also been carried out on repair and construction of storm-water drains to prevent flooding and erosion in the town of Luluabourg, and on maintenance and construction work on the municipal road system.

In Orientale Province, the main project has been the clearing and breaking-in of land for small farms near Stanleyville. In all, over fifty hectares have been cleared and ploughed, and forty hectares have been planted with a first crop of rice, which will be harvested shortly. This work is employing 260 men at present, and it should prove a continuing source of employment. A small pilot project for road maintenance on the Bengamina-Banalia road employed fifty men and has achieved the desired results.

In Kivu Province, a large area of Stephenson Quarter in Bukavu has been prepared for a housing development. The work included clearing and terracing the area, the construction of roads, footpaths and storm-water drains, and the extension of the water supply. This work was hampered by political disturbances in December and January but was completed by the end of March.

Altogether, against a total expenditure of about CF 50 million, wages have been paid for roughly 28,000 man-months, a large number of workers and their families thus being saved from misery at an average gross cost of CF 59.5 ($US1.19) per day.

In addition to a variety of special technical assignments, ONUC public works experts have helped the Congolese authorities to review large hydroelectric power projects proposed for future execution and to reorganize the various ministerial departments. They have assisted in drafting a three-year plan and budget for public works, in checking plans for road works and bridges and in verifying bills presented by contractors for work done. They have also assisted in a revision of the statute and administrative rules and regulations of the REGIDESO, the public agency responsible for the supply of drinking water throughout the country, and have studied existing waterworks and collaborated in making plans for their improvement and expansion. They also have drawn up plans for the establishment of a technical college (see section (*k*) below).

(*k*) TRAINING AND FELLOWSHIPS

ONUC, in all sectors of civilian operations, laid emphasis on training so as to give the Congo, in the shortest possible time, the main elements of the qualified personnel needed to operate essential administrative and technical services at a satisfactory level of efficiency. The needs are urgent and enormous as there were only a handful of college graduates in the country when it became independent and almost no Congolese had until then reached any position of responsibility.

Special emphasis was placed on training within the country with the help of ONUC experts, as, where facilities were available, this would give the fastest results at the lowest cost. In agriculture, a training centre for Congolese farm mechanics was established and short-term courses were organized for agricultural technicians and veterinarian aides, as well as a long-term course for agricultural instructors. In civil aviation, a one-year course was established to train air-traffic controllers as well as courses of from six months to three years to train various technicians, such as radio technicians. Two six-month courses for meteorologists have been launched, one at the pre-university level, the other at the post-university level. In public administration, some 300 senior government employees from sixteen different departments took an accelerated two-month training course, and two six-month courses are planned to start in the autumn of 1961, one of which is expected to draw 400 senior, and the other, 600 middle level civil servants. Preparatory work was also done for an accelerated in-service course for administrative personnel in public enterprises and a six-month course for telephone switchboard operators. Courses are being given to sixty newly recruited police commissioners and fifty-two career policemen. A four-month accelerated course on tariff legislation was given to customs officers. In postal administration, a five-month training course was attended by more than sixty participants.

In education, ONUC assumed responsibility for a three-week pedagogical seminar attended by twenty-three schoolmasters; plans have been made for the creation of a National Institute of Pedagogy which would provide a course of one-and-a-half year's duration for training teachers for secondary schools and inspectors for primary schools and for the setting-up of a technical school; refresher courses were also planned for administrative personnel and primary school inspectors, teachers and headmasters; ONUC has also given administrative assistance and financial aid in the form of fellowships to a newly created National School of Law and Administration which has been set up for training judges, legal advisers and higher public servants.

A training institute is being planned for telecommunications personnel, with a two-year curriculum for 400 trainees, and plans have been drawn up for a technical college to train junior engineers capable of serving as inspectors, supervisors and foremen of civil engineering and building works. In public health, sixteen nurses were trained through a special course which ended in the spring of 1961 and a three-year training course for health officers was planned and scheduled to start in the third quarter of 1961. Accelerated training was given to thirty-four labour officials between October 1960 and March 1961 and two other accelerated training courses, one of them for office workers, are scheduled for the autumn of 1961. By mid-June 1961, more than 1,500 Congolese were being trained and more than a thousand were scheduled to commence training in the near future, and approved fellowships for training in the Congo totalled almost 3,000. Practically all courses combine basic and specialized instruction, stressing practical problems and operational requirements. Although most of the training was given in the Leopoldville area which offers facilities not available elsewhere in the country, attendance of participants from the different provinces was sought and obtained to a significant extent, except for Katanga.

With respect to fellowships for study abroad, at the end of May 1961 ONUC had awarded some 230 United Nations fellowships in the field of telecommunications, social affairs, public health, meteorology and public administration, and had also assisted in the processing of fellowships applications, and the screening and selection of candidates for the 1,246 fellowships and scholarships offered by various Governments and institutions and awarded by 31 May 1961. At that date, fellowships and scholarships had been offered by more than twenty countries. In the granting of fellowships for study abroad, emphasis was placed on accelerated practical training; thus, out of a grand total of 1,474 awards, only 150 were for university studies of over two years' duration. A majority of the awards at the university level were for studies in medicine, law and public administration. A high percentage of the awards for technical studies and studies at the secondary level were in public administration, education and communications, for periods averaging six months to one year.

(*l*) OTHER ACTIVITIES

ONUC provided telecommunications technicians for the repair of broadcasting installations damaged in July 1960 and later a radio consultant to advise on the improvement of programmes and of the broadcasting system as a whole.

A senior consultant has assembled background information on the geology and mines of the Congo and made preliminary studies for the creation of a Bureau of Mines and an Institute of Geological Research.

Events in Angola have brought to the Congo refugees whose number reached approximately 100,000 in early February 1961. ONUC has provided some 600 tons of food and has arranged to provide 200 tons a week for six more months; the relief operations include provision of 12 tents, 300 beds, 3,000 blankets and 10,000 cooking pots, as well as 6,000 hoes to help the refugees to become self-supporting. ONUC is also helping the Bashi refugees in Kivu, a group of eleven communities which are suffering from an acute food shortage brought about by tribal fighting.

C. FINANCING OF THE UNITED NATIONS OPERATIONS IN THE CONGO

(*a*) FINANCING FOR THE PERIOD 14 JULY-31 DECEMBER 1960

Under General Assembly resolution 1444 (XIV) on unforseen and extraordinary expenses in 1960, the Secretary-General had authority to enter into commitments, not exceeding $2 million, for the maintenance of peace and security or urgent economic rehabilitation. Since it was foreseen that implementation of the Security Council's resolution of 14 July 1960 would involve commitments considerably in excess of that amount, the Secretary-General on 14 July 1960 sought the concurrence of the Advisory Committee on Administrative and Budgetary Questions for authority to incur commitments for ONUC above that limit.

The Advisory Committee on 18 July 1960 concurred in the Secretary-General's request and fixed, subject to its review in September 1960, an upper limit of $15 million for such commitments.

On 10 August, the Secretary-General informed the Advisory Committee that, in the light of developments subsequent to the Committee's initial authorization of 18 July, a more realistic upper limit for such commitments, prior to appropriate financial action by the General Assembly, would be $40 million. On 15 September 1960, the Committee concurred in the incurring of commitments in connexion with ONUC of up to $40 million.

Budget estimates for the United Nations activities in the Congo for the period July-December 1960 were submitted by the Secretary-General to the General Assembly on 24 October 1960. These estimates, totalling $66,625,000, provided for the organization, operation and maintenance during 1960 of a United Nations Force in the Congo totalling 20,000 men, as well as for the expenses of the Office of the Personal Representative of the Secretary-General, the Supreme Commander and his General Staff, the Office of the Chief of the United Nations Civilian Operation and his Consultative Group, and the international and locally recruited civilian staff assisting the Force. The estimates did not, however, cover the cost of international financial aid to be provided for the purpose of restoring the economic life of the Congo and for carrying on its public services, including education, health and public security, since these were to be financed from voluntary contributions to the United Nations Fund for the Congo established pursuant to General Assembly resolution 1474 (ES-IV) of 20 September 1960.

In presenting these estimates, the Secretary-General pointed out that the costs to be financed by the United Nations might be reduced appreciably if Governments which furnished special services and facilities to the Force, particularly in the form of the airlifting of troops, equipment and supplies, decided that the provision of such services would be, either in whole or in part, without charge to the United Nations.

The Secretary-General also expressed the hope that, in view of the magnitude of the ONUC expenses, it would be possible for some Governments to make generous voluntary contributions to defray a part of the costs involved, or that other means might be found to mitigate the effect of the additional assessments on Governments having the least capacity to pay. He also pointed out that it would be necessary to exercise the authority granted to him in General Assembly resolution 1448 (XIV) to borrow cash from special funds and accounts in his custody to finance ONUC expenditures pending the receipt of 1961 assessments, and suggested that the General Assembly might wish to authorize him also to borrow at current rates of interest from other available sources.

The Advisory Committee on Administrative and Budgetary Questions in its report, dated 18 November 1960, on the Secretary-General's ONUC budget estimates for 1960 recommended that the total 1960 requirements should be held to $60 million. The Committee expressed the belief that the favourable outcome of negotiations with Governments on reimbursements due to them, including payments in respect of the initial airlifts, would make it possible to confine actual net obligations and expenditures in 1960 to a substantially lower figure.

The Fifth Committee of the General Assembly considered the estimates in the course of fifteen meetings held between 29 November and 15 December 1960. During these meetings, the representatives of Canada, the USSR, the United Kingdom and the United States announced voluntary contributions and/or waivers of reimbursement which their Governments were prepared to make.

During the discussions in the Fifth Committee, various methods of financing the ONUC operation were proposed. It was suggested that the expenses should: (1) be included in the regular budget and apportioned among the Member States in accordance with the 1960 scale of assessments for Members' contributions; (2) be entered in a special account and apportioned among the Member States in accordance with the 1960 scale of assessments for Members' contributions to the regular budget, voluntary contributions being applied, on the request of the Member State concerned, to reducing the assessments of Members with the least capacity to pay; (3) be met under special agreements concluded in accordance with Article 43 of the Charter between the Security Council and the countries providing troops; (4) be borne for the greater part by the permanent members of the Security Council, as having a major responsibility for the maintenance of peace and security; (5) be borne for the greater part by the former administering Power; or (6) be financed entirely out of voluntary contributions.

Some representatives stated the intention of their Governments not to contribute to any part of the expenses connected with the United Nations activities in the Congo, which, in their opinion, ran counter to the decisions of the Security Council and the General Assembly and were therefore illegal.

On 15 December 1960, the Fifth Committee approved by a roll-call vote of 45 to 15, with 25 abstentions, a draft resolution on the ONUC estimates for 1960 which was subsequently adopted by the General Assembly on 20 December (resolution 1583 (XV)) by 46 votes to 17, with 24 abstentions.

Under that resolution, the General Assembly recognized that the expenses involved in the United Nations operations in the Congo for 1960 constituted "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter, and that the assessment thereof against Member States created binding legal obligations on such States to pay their assessed shares. It noted with appreciation the willingness of certain Members not to request reimbursement for the cost of air transport facilities they had provided to move troops and supplies to the Congo, and that additional financial assistance had been pledged voluntarily which would enable a reduction to be made in the level of assessment of those Members having the least capacity to pay. The Assembly decided, *inter alia*, to establish an *ad hoc* account for the expenses of the United Nations in the Congo; approved the Advisory Committee's recommendation that the total 1960 requirements should be held to $60 million; noted that the waiver of airlift costs announced by certain Governments would reduce the level of expenses to the amount of $48.5 million; and decided that this amount should be apportioned among the Member States on the basis of the regular scale of assessment subject to reductions, within the amount of voluntary contributions, of up to 50 per cent for Member States which were admitted during the fifteenth session of the General Assembly and for other States which received assistance during 1960 under the Expanded Programme of Technical Assistance. The resolution also called upon the former administering Power of the Republic of the Congo (Leopoldville) to make a substantial contribution in order that it could be applied to reduce further the assessment of the Member States referred to above.

Actual expenditures during 1960 for ONUC, including unliquidated obligations, totalled $48,432,153 and the unencumbered balance as at 31 December 1960 was $67,847. The Secretary-General in his financial report for the year ended 31 December 1960 has indicated that it will be possible to remain within the total level of $48.5 million approved by the General Assembly only if reimbursements to Governments for their extra costs in 1960, for which few claims have thus far been received, do not exceed approximately $8.3 million.

(*b*) FINANCING FOR THE PERIOD FROM 1 JANUARY 1961

On 17 December 1960, the Secretary-General, in a note to the Assembly's Fifth Committee, referred to the authorizations and requests for him to take action to assist the Central Government of the Congo contained in the Security Council resolutions of 14 and 22 July and 9 August 1960 and General Assembly resolution 1474 (ES-IV) of 20 September 1960, and reminded the Committee that no provision had yet been made for financing the costs of the United Nations activities in the Congo after 31 December 1960.

The Secretary-General recalled his statement to the Committee on 21 November 1960 in which he had indicated that in 1961, monthly requirements for financing ONUC would be perhaps of the order of $10 million monthly for such period as the Force and its supporting services must be maintained at their existing strength. He added that the immediate cash requirements during the first few months of 1961 might not, however, exceed $8 million per month if, as might be anticipated, there was some delay in the submission and settlement of claims from Governments for reimbursement of extra and extraordinary costs arising from their participation in ONUC.

The Secretary-General suggested that, to give him the requisite financial authorization to carry out during 1961 the responsibility placed on him by these resolutions of the Security Council and the General Assembly, the Assembly, pending action at its resumed fifteenth session, should authorize him to enter into such commitments as were necessary for the maintenance and operations of the Force after 31 December 1960.

The Secretary-General undertook to submit estimates for the continuing costs of maintaining ONUC as soon as these could be established on a reasonably reliable basis.

The Fifth Committee, after considering the Secretary-General's note, on 19 December approved by 26 votes to 9, with 26 abstentions, a draft resolution which was subsequently adopted by the General Assembly on 20 December 1960 by a roll-call vote of 39 to 11, with 44 abstentions (resolution 1590 (XV)).

By this resolution, the General Assembly decided that, at its resumed fifteenth session, it would give urgent consideration to the financing of such costs as might be incurred in 1961 in respect of the United Nations operations in the Congo, requested the Secretary-General to submit cost estimates for the operations in question not later than 1 March 1961, and authorized him, pending action by the Assembly at its resumed fifteenth session, to incur commitments in 1961 for ONUC up to a total of $24 million for the period 1 January to 31 March 1961.

Pursuant to this resolution, the Secretary-General submitted to the General Assembly on 1 March 1961 budget estimates for the United Nations operations in the Congo for 1961 totalling $135 million. He pointed out that the estimates must be regarded as tentative in view of the unstable political, economic and military situation then prevailing in many parts of the Congo and the new mandate in the Security Council's resolution of 22 February 1961 which had required substantial adjustments in previous assumptions regarding the size, composition and operations of the Force.

In his report the Secretary-General recalled the limited authority granted under General Assembly resolution 1590 (XV) to incur commitments for ONUC up to a total of $24 million for the period 1 January to 31 March 1961 and indicated it had only been possible to meet these and other commitments of the Organization by recourse to borrowing from special accounts in the custody of the Secretary-General. He stated that the need for a solution to secure adequate financing of the costs of ONUC up to the limit of any new authorization was therefore essential and urgent.

In its report on the estimates, dated 21 March, the Advisory Committee on Administrative and Budgetary Questions, calling attention to particular areas of expense where savings appeared possible, stated its belief that the costs of ONUC for the full year 1961 might be held to a total not exceeding $120 million, of which $100 million would represent operating costs incurred by the United Nations and $20 million the reimbursement of extra and extraordinary costs incurred by Governments providing contingents to ONUC.

The Committee observed that, while it had examined the estimates on the assumption that provision for the full year was intended, the General Assembly might wish to limit the appropriation action at that stage to funds required for the period until the sixteenth session of the General Assembly.

The Fifth Committee considered the 1961 estimates in respect of the United Nations operations in the Congo at twenty-one meetings held between 24 March and 20 April 1961. The competence of the General Assembly to consider the estimates was questioned by some delegations on the ground that United Nations operations in the Congo represented action for the maintenance of peace and security, a matter exclusively within the competence of the Security Council under the Charter. The provisions of Articles 11, 43 and 48 of the Charter were specifically cited in this regard, and, at the request of the USSR representative, a statement setting out these arguments was circulated as a document of the Committee. Representatives raising these questions stated that their Governments would not consider themselves bound by any decision taken by the General Assembly to apportion the costs of ONUC.

Other delegations maintained that ONUC had been established by the Security Council and that the General Assembly was now properly seized of the whole question of the United Nations operations in the Congo and that the Assembly was, in any case, the only body with power to appropriate funds and apportion expenses among the Members.

Several delegations referred to the difficulty of analysing and considering the estimates, given the nature of the costs involved, and emphasized that the approval of the estimates for the financial year 1961 or any particular future portion therefore could not be considered as a prejudgement of the duration, nature and scale of the operations. The major attention of the Committee, however, was devoted to the means of financing the costs of the operations.

On 30 March 1961, the Fifth Committee considered the question of the expiration on 31 March 1961 of the expenditure authorization contained in General Assembly resolution 1590 (XV), and approved by 38 votes to 9, with 29 abstentions, a draft resolution submitted by India, with a Venezuelan oral amendment accepted by the sponsor. This resolution, which was adopted by the General Assembly on 3 April 1961 by 51 votes to 10, with 22 abstentions, recognized that the question of the 1961 cost estimates for ONUC and the financing of these operations was currently under consideration and authorized the Secretary-General, pending action by the General Assembly at its resumed fifteenth session and without prejudice to such action, to continue until 21 April 1961 to incur commitments for the United Nations operations in the Congo at a level not to exceed $8 million per month (resolution 1595 (XV)).

On 20 April, the Fifth Committee, after having considered a series of draft resolutions and amendments which were submitted during meetings held between 3 and 20 April 1961, approved two draft resolutions.

The first, which dealt with ONUC 1961 cost estimates and financing, was submitted originally by Pakistan and Tunisia and in a revised form by Pakistan, Tunisia, Ghana and Liberia. Amendments to the revised resolution were submitted jointly by Argentina, Bolivia, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Honduras, Mexico, Panama, Paraguay, Peru, Uruguay and Venezuela, and separately by India. The draft resolution, as a whole, as amended, was approved by the Committee by a roll-call vote of 43 to 26, with 14 abstentions, and was subsequently adopted, as further amended, by the General Assembly on 21 April 1961 by a roll-call vote of 54 to 15, with 23 abstentions (resolution 1619 (XV)).

Under this resolution, the General Assembly, bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses, also bearing in mind that the permanent members of the Security Council have a special responsibility for the maintenance of international peace and security, and noting with appreciation the intention declared by certain Member States to make substantial voluntary contributions, decided to: (1) open an *ad hoc* account for the expenses of the United Nations operations in the Congo for 1961; (2) approve the recommendations of the Advisory Committee on Administrative and Budgetary Questions; (3) appropriate an amount of $100 million for the operations of the United Nations in the Congo from 1 January to 31 October 1961; (4) apportion as expenses of the Organization the amount of $100 million among the Member States in accordance with the scale of assessment for the regular budget, except that assessment of Member States whose contributions to the regular budget range from 0.04 per cent to 0.25 per cent and Member States receiving assistance during 1960 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget range from 0.26 per cent to 1.25 per cent inclusive be reduced by 80 per cent and the assessment of Member States receiving assistance during 1960 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget are 1.26 per cent and above be reduced by 50 per cent, pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations.

The resolution further urged the permanent members of the Security Council to make sizable additional contributions, appealed to all other Member States, who are in a position to assist, to make voluntary contributions, called upon the Government of Belgium, a State directly concerned with the situation in the Republic of the Congo (Leopoldville), to make a substantial contribution, and decided to apply these additional contributions of Member States to offset the deficit resulting from the implementation of the authorized reductions in the assessments of certain Member States.

The second draft resolution, which dealt with the examination of the administrative and budgetary procedures of the Organization, was submitted to the Fifth Committee by Canada and amendments to it were submitted jointly by Colombia, Mexico, Peru and Venezuela. The draft resolution, as amended, was approved by the Committee by a roll-call vote of 26 to 24, with 29 abstentions, and was adopted, with the deletion of two preambular paragraphs, by the General Assembly on 21 April by a roll-call vote of 44 to 13, with 32 abstentions.

This resolution stated in the preamble that the General Assembly: (1) had in mind that among the main purposes of the United Nations are the maintenance of international peace and security, the pacific settlement of disputes and international economic and social co-operation with a view to the creation of conditions of stability and well-being necessary for peaceful and friendly relations among nations; (2) recognized that in order to fulfil these purposes the United Nations must have at its disposal adequate financial resources and generally recognized procedures for dealing with the financial problems resulting from activities undertaken by the Organization; (3) expressed the belief that, with the continuing growth and development of the United Nations, increasing demands will be made on the Organization in the fulfilment of its purposes; and (4) expressed the belief also that in these circumstances it would be appropriate to review the administrative and budgetary questions relating to the expenditures of the United Nations.

In the operative part of the resolution, the Assembly: (1) decided to place on the provisional agenda of its sixteenth session, as a matter of prime importance and urgency, the question of the administrative and budgetary procedures of the United Nations, including methods for covering the cost of peace-keeping operations, and the relationship between such methods and the existing administrative and budgetary procedures of the Organization; (2) requested its President to appoint a working group of fifteen Member States—the permanent members of the Security Council, two States from Africa, two from Asia, two from Latin America, two from Western Europe, one from Eastern Europe and one from the Commonwealth—to consider these points in consultation with the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions, and to report in good time for its sixteenth session; (3) requested the Advisory Committee, in assisting the working group, to consider what improvements might be required in the existing administrative and budgetary procedures of the United Nations and any other measures to ensure the financial stability of the Organization; (4) requested Member States to submit not later than 1 July 1961, for consideration by the working group, observations on principles to be applied in determining a special scale of assessments for peace and security, and on other matters relevant to its study; and (5) decided to refer to its sixteenth session all relevant documentation for consideration under this item.

As requested by this resolution, the President of the General Assembly appointed a working group, consisting of Brazil, Bulgaria, Canada, China, France, India, Italy, Japan, Mexico, Nigeria, Sweden, the USSR, the UAR, the United Kingdom and the United States.

(*c*) CONTRIBUTIONS

As at 31 May 1961, the status of the *ad hoc* account for the United Nations operations in the Congo for the period 14 July to 31 December 1960 was as follows:

Gross amount of assessments for 1960	$48,500,000
Reductions under resolution 1583 (XV)	2,910,419
Amounts received	23,783,550
Balance	$21,806,031

The apportionment of the expenses for 1960 was made in accordance with the provisions of paragraphs 4 and 5 of General Assembly resolution 1583 (XV) (see above).

The amount of $2,910,419, in respect of reductions under resolution 1583 (XV), represents requests from fifty Member States. The total of $23,783,550, in respect of contributions received, represents payments by twelve Member States. The balance of $21,806,031 relates to forty-two Member States which have not contributed to the account and balances due from forty-six of the fifty Member States which have requested reductions in contributions under resolution 1583 (XV).

As at 31 May 1961, the status of the *ad hoc* account for the United Nations operations in the Congo for the period 1 January to 31 October 1961 was as follows:

Gross amount of assessments for 1961	$100,000,000
Reductions under paragraph 8 of resolution 1619 (XV)	15,305,596
Amounts received	—
Balance	$84,694,404

The apportionment of expenses of ONUC for 1961 was made in accordance with paragraphs 4 and 8 of General Assembly resolution 1619 (XV) (see above).

Chapter II

OTHER POLITICAL AND SECURITY QUESTIONS

1. The question of disarmament

(*a*) DEVELOPMENTS PRIOR TO THE FIFTEENTH SESSION OF THE GENERAL ASSEMBLY

(i) *The end of the Conference of the Ten-Nation Disarmament Committee*

On 27 June 1960, the day Bulgaria, Czechoslovakia, Poland, Romania and the Union of Soviet Socialist Republics withdrew from the Conference of the Ten-Nation Committee on Disarmament, the USSR requested the General Assembly to consider at its fifteenth regular session the item: "Disarmament and the situation with regard to the fulfilment of the General Assembly resolution of 20 November 1959 on the question of disarmament". Subsequently, an exchange of communications between the two sides was circulated to the Members of the United Nations.

On 22 July 1960, the United States requested a meeting of the Disarmament Commission early in August, and transmitted for circulation to members its proposal of 27 June 1960, which had been tabled in Geneva following the withdrawal from the Conference of the aforementioned States. The United States proposal consisted of an introduction enumerating the requirements for general and complete disarmament under effective international control in a secure, free and peaceful world; a list of controlling principles; a definition of the task of the Ten-Nation Committee; and a three-stage plan for general and complete disarmament.

The task of the Ten-Nation Committee would have been to negotiate and agree upon the treaty to be acceded to in the first instance by the States represented on the Ten-Nation Disarmament Committee, embodying the first stage of the programme. That stage was to consist of those initial and controllable measures which could be taken without delay to preclude the expansion of armed forces, to halt the growth of weapon stockpiles and to reduce them and armed forces to the extent possible without jeopardy to security, and to provide protection against surprise attack. After reaching agreement on the treaty on the first stage, the Ten-Nation Disarmament Committee would have prepared, for submission to a World Disarmament Conference, an agreed draft treaty on the second and third stages in accordance with principles set forth in the document.

Those principles included provisions for effective initial and continuing verification which would include the capability to ascertain, not only that the reduction of armed forces and armaments had taken place, but also that the retained armed forces and armaments did not exceed agreed levels at any stage.

On 25 July, in a note to the United States, the USSR, whose detailed plan for general and complete disarmament of 2 June 1960 had been submitted to the Conference on 7 June and was referred to in last year's annual report, contended that the new United States proposal concentrated, from the very first stage, on instituting broad measures of control without disarmament and on the conclusion of an agreement on the first stage only. Moreover, it proposed no reduction of armed forces during the first stage, while seeking to place under foreign control all the armed forces and armaments of the USSR and other States, and, therefore, was a screen for carrying out espionage activities. As to the second and third stages, the Soviet note maintained that the United States plan was so drafted that the point of their practicable application was never reached at all and, therefore, the proposals did not pursue the goal of real disarmament.

(ii) *Proceedings and decisions of the Disarmament Commission*

In accordance with the opinion expressed by the majority of members in reply to the letter of 29 July 1960 from the Chairman of the Disarmament Commission, the Commission was convened and held five meetings from 16 to 18 August.

The United States urged that the Ten-Nation Disarmament Committee resume its deliberations and made the following proposals. The United States and the Soviet Union would carry out a cut-off of production of fissionable material for weapons purposes on a reciprocal basis and transfer to peaceful uses, under international supervision, agreed quantities of such material from existing weapons stocks. Initially, the United States was ready to set aside on a reciprocal basis 30,000 kilogrammes of weapons grade U-235. The United States claimed that the transfer of that amount to peaceful uses would mean a sizable reduction in the nuclear threat. If the Soviet Union was not prepared to join in such a plan, the United States offered to close, one by one, under international inspection, the major plants producing enriched uranium and plutonium, provided the Soviet Union closed equivalent facilities.

The USSR called upon the Disarmament Commission to uphold the General Assembly's resolution on general and complete disarmament and to recognize the importance of a thorough examination of the problem at the fifteenth session with the participation of the Heads of Governments.

As to the United States proposal, the USSR maintained that it was not new and that it was not a substantial step forward because measures to end the production of fissionable materials would not eliminate the threat of a nuclear war; the existing stockpiles were already so great that those remaining would be more than adequate for the destruction of whole countries.

On 18 August 1960, a revised draft resolution was submitted by Ecuador, India, Mexico, Sweden, the United Arab Republic and Yugoslavia whereby the Commission, re-affirming the continuing and ultimate responsibility of the United Nations in the field of disarmament, would: (1) recommend that the Assembly at its fifteenth session give earnest consideration to the question of disarmament; (2) consider it necessary and recommend continued efforts for the earliest possible continuation of international negotiations to achieve a constructive solution of general and complete disarmament under effective international control; and (3) recommend to the General Assembly that the Disarmament Commission, as established in resolution 1252 (XIII), should be continued and convened whenever deemed necessary.

On 18 August 1960, the Commission adopted the six-Power draft resolution unanimously.

(*b*) CONSIDERATION BY THE GENERAL ASSEMBLY AT ITS FIFTEENTH SESSION

(i) *First part of the session*

On 27 June 1960, as mentioned above, the USSR requested the inclusion in the agenda of the fifteenth session of the Assembly of the item entitled "Disarmament and the situation with regard to the fulfilment of the General Assembly resolution of 20 November 1959 on the question of disarmament". On 19 July 1960, India requested the inclusion of an item entitled "Suspension of nuclear and thermo-nuclear tests". On 15 August 1960, Ireland requested the inclusion of an item entitled "The prevention of the wider dissemination of nuclear weapons". On 21 September 1960, the item "Report of the Disarmament Commission" was brought to the Assembly's attention.

In the course of the general debate, the United States representative reaffirmed the United States general disarmament proposal of 27 June 1960 as well as its proposal on fissionable material, and further proposed that, for the purpose of preventing war by miscalculation, there should be established an appropriate United Nations surveillance body which might verify the situation during international crises, when voluntarily requested by a Member State. With respect to outer space, it was proposed that agreements should be reached whereby: (1) celestial bodies would not be subject to claims of sovereignty; (2) nations would not engage in warlike activities on these bodies; (3) subject to verification, no nation would put into orbit or station in outer space weapons of mass destruction; (4) all launchings of spacecraft would be verified in advance by the United Nations.

The USSR representative stated that only general and complete disarmament as distinct from partial measures could eliminate the danger of war and, on 23 September, the USSR submitted two documents: "Declaration of the Government of the Union of Soviet Socialist Republics on Disarmament" and "Basic Provisions of a Treaty on General and Complete Disarmament".

The latter, being a revision of the Soviet proposal of 2 June, defined the content of general and complete disarmament and the means of achieving strict and effective international control; set forth the measures to be carried out gradually within an agreed time-limit in three stages, including in the first stage conventional disarmament measures as well as the elimination of all means of delivering nuclear weapons; proposed a formula for the transition from one stage to the next; and also proposed measures for preserving peace and security in accordance with the Charter of the United Nations.

On 26 September, the USSR submitted a draft resolution whereby the General Assembly would decide to broaden the membership of the Ten-Nation Disarmament Committee to include India, Indonesia, the United Arab Republic, Ghana and Mexico. The USSR also proposed that the question of disarmament be discussed in plenary meeting.

On 11 October, the General Assembly decided, by 62 votes to 12, with 24 abstentions, that the item proposed by the USSR should be considered in the First Committee, and rejected, by 54 votes to 13, with 31 abstentions, the Soviet draft resolution proposing the allocation to the plenary. The General Assembly also decided to allocate the other items relating to disarmament to the First Committee.

On 18 October, the First Committee decided that the four questions relating to disarmament should be dealt with as the first items in its agenda. The item was considered at the first part of the session at ten meetings during the period 19 October to 19 December 1960.

General and complete disarmament

There was substantial agreement that the main task of the First Committee was to facilitate the resumption of general disarmament negotiations. General and complete disarmament was the main subject of discussion in the first part of the session. The United States, the United Kingdom and France were willing to resume talks in the Ten-Nation Disarmament Committee on the basis of the situation existing at the end of June 1960. The USSR and its allies contended that a resumption of negotiations was desirable only if there were a precise directive from the Assembly to draft a treaty or programme for general and complete disarmament on the basis of basic principles to be set forth in a resolution. The draft resolutions that formed the basis of the deliberations focused attention on the approaches to and principles of a treaty for general and complete disarmament.

On 13 October 1960, the USSR submitted a draft resolution whereby the General Assembly would call upon Governments to make every effort to achieve a constructive solution of the problem of general and complete disarmament and recommend that a treaty should accordingly be concluded as quickly as possible on the basis of the following principles: (1) General and complete disarmament shall include the disbanding of all armed forces, the destruction of all armaments, the cessation of war production, the liquidation of all foreign bases in the territory of other States, the prohibition of nuclear, chemical, bacteriological and rocket weapons, the cessation of the manufacture of such weapons, the destruction of stockpiles of such weapons and of all means of delivering them, the abolition of agencies and institutions intended for the organization of military affairs in States, the prohibition of military training and the discontinuance of the expenditure of funds for military purposes. (2) General and complete disarmament shall be carried out in an agreed sequence, by stages and within a specified period. (3) The disarmament measures relating to nuclear weapons and conventional armaments shall be so balanced that no one State or group of States can obtain a military advantage and that security is ensured for all in equal measure. (4) The measures provided for in the programme of general and complete disarmament shall be carried out from beginning to end under international control, the scope of which shall correspond to the scope and nature of the disarmament measures implemented at each stage. To carry out control over, and inspection of, disarmament an international control organization shall be established under the United Nations with all States participating. (5) Under conditions of general and complete disarmament, the necessary measures shall be adopted, in accordance with the Charter of the United Nations, for the purpose of maintaining international peace and security, including an undertaking by States to make available to the Security Council, where necessary, units from the contingents of police (militia) retained by States for maintaining internal order and ensuring the personal security of citizens.

The General Assembly would also recognize that it is necessary to change the structure of the United Nations Secretariat and of the Security Council so that all three groups of States—the Socialist countries, the countries members of the Western Powers' blocs and the neutralist countries—may be represented in those organs on a basis of equality. It would transmit to the Disarmament Committee for examination the proposal of the Soviet Government concerning "Basic provisions of a treaty on general and complete disarmament" and other proposals on this question with a view to the drafting of a treaty on general and complete disarmament, including a system of international control and inspection which shall ensure strict compliance with the treaty.

Italy, the United Kingdom and the United States submitted a draft resolution on 14 October whereby the General Assembly would: (1) reaffirm its hope that measures leading towards the goal of general and complete disarmament under effective international control would be worked out in detail and agreed upon in the shortest possible time; (2) conclude that the final goal of a programme of general and complete disarmament under effective international control must be to achieve: (*a*) reduction of all national armed forces and armaments to levels required for internal security and for the provision of agreed contingents to an international peace force within the United Nations; (*b*) elimination of delivery systems of all weapons of mass destruction; (*c*) elimination of all weapons of mass destruction, nuclear, chemical and bacteriological; (*d*) the use of outer space for peaceful purposes only; (*e*) the establishment of effective means for verification of the observance of disarmament obligations and for the maintenance of peace; and (*f*) the achievement of a secure, free and open world, in which all peoples are protected from the dangers of surprise attack or the outbreak of war by miscalculation.

The General Assembly would further recommend that the following principles should guide disarmament negotiations: (*a*) disarmament should be carried out progressively with measures to be completed as rapidly as possible within specified periods of time; (*b*) transition from one stage to the next shall be initiated when the measures in the preceding stage have been satisfactorily implemented, provided that effective verification is continuing and that any additional verification arrangements required for measures in the next stage have been agreed and are ready to operate effectively; (*c*) nuclear and conventional measures of disarmament must be so balanced that no country or group of countries will obtain at any stage a significant military advantage, and that equal security for all will be maintained and thus international confidence progressively increased; (*d*) compliance with all disarmament obligations must be effectively verified throughout by an international disarmament organization within the framework of the United Nations to ensure that compliance with these obligations is verified from their entry into force; such verification should include the capability to ascertain not only that reductions of armed forces and armaments in agreed amounts take place, but also that retained armed forces and armaments do not exceed agreed levels at any stage; (*e*) provisions in respect of international control and verification shall form an integral part of any agreement on disarmament; (*f*) general and complete disarmament must start with those measures which are capable of early implementation under effective international control and are compatible with the principle of balance. The General Assembly would also urge that negotiations be resumed as soon as possible on the basis of this resolution.

After consultations with both sides, the representative of India, on 15 November, introduced a draft resolution sponsored by Burma, Cambodia, Ceylon, Ghana, India, Indonesia, Iraq, Morocco, Nepal, the United Arab Republic, Venezuela and Yugoslavia, whereby the General Assembly would declare that the following directives should form the basis for an agreement on general and complete disarmament. (*a*) General and complete disarmament should result in a world in which the method of war for the solution of international problems and the continued existence of all the instruments and machinery of war should stand eliminated. (*b*) No phase or step adopted should enable any State or group of States to acquire military superiority over another. (*c*) In respect of each phase and step there shall be established by agreement effective machinery of inspection and control for its operation and maintenance. (*d*) General and complete disarmament should consist of: (i) the elimination of armed forces and armaments and of armament production, (ii) the total prohibition of the manufacture, maintenance and use of nuclear and thermo-nuclear weapons and of bacteriological and chemical weapons of war, (iii) the elimination of all existing establishments and training institutions for military purposes, (iv) the elimination of all equipment and facilities for the delivery, the placement and the operation of all weapons of mass destruction within national territories and of all foreign military bases and launching sites of all categories, (v) the maintenance by each Member State of necessary security units and training establishments, arms and their production as are agreed to be necessary exclusively for the purposes of internal security and of placing at the disposal of the United Nations for the maintenance of international peace and security, in accordance with the Charter of the United Nations, (vi) the United Nations should undergo such agreed changes for the implementation of this resolution and for the maintenance of peace in a disarmed world which would exclude the possibility of the international police force being used for any purpose inconsistent with the Charter, including such use in the interests of one State or group of States against another State or group of States, (vii) the exclusive use of outer space and all developmental efforts in regard to it for peaceful purposes. (*e*) A treaty on general and complete disarmament embodying the terms and provisions set out in (*a*) to (*d*) above shall include the time-limits and schedules for the implementation of each successive step and phase of general and complete disarmament; the completion of each stage shall be followed by the implementation of the next stage.

Secondly, the Assembly would urge that negotiations should be resumed for the purpose of the earliest conclusion of an agreement on general and complete disarmament under effective international control and taking into account the provisions of the resolution. Thirdly, it would consider that, without prejudice to the directives on general and complete disarmament set out in the resolution and to its recommendations regarding negotiations, the possibility of putting into effect either agreed or unilateral measures which would create more favourable conditions for general and complete disarmament and would help the fulfilment of these directives was not precluded. Fourthly, the Assembly would urge that, pending the establishment of agreed machinery for their prevention, all countries shall refrain from all forms of and preparations for surprise attack and would remind all countries of resolution 1495 (XV) of 17 October 1960 and request them to refrain from actions likely to aggravate international tensions, and finally it would appeal to all countries to give their full co-operation for the fulfilment of the purposes of the resolution.

The USSR representative supported the twelve-Power draft resolution on the ground that it would meet the minimum requirement for directives for the drafting of a treaty on general and complete disarmament. The United States and the United Kingdom representatives found it unacceptable on the ground that it would restrict the negotiating body to drafting a single treaty to the exclusion of measures that might be carried out immediately. Many representatives, including sponsors of the twelve-Power draft resolution, expressed the opinion that the First Committee should only adopt a resolution on general and complete disarmament that was acceptable to the major Powers.

Other resolutions, dealing with specific aspects of disarmament, were proposed with a view to paving the way for general disarmament negotiations by improving the international atmosphere or by providing procedural means for arriving at an agreement for the resumption of negotiations.

On 14 October, the United Kingdom submitted a draft resolution whereby the General Assembly would recommend that technical experts, scientific, military and administrative, be appointed with the minimum of delay with instructions to submit a progress report to the Disarmament Commission within six months on the systems of inspection and control—their capabilities and limitations—which would be effective and fair to all concerned in relation to the following measures of disarmament: (*a*) the cessation of the production of fissile material for use in weapons and the transfer of existing material to peaceful purposes; (*b*) the preventing of the clandestine storage of nuclear weapons and of fissile material intended for use in weapons; (*c*) measures to reduce the dangers of surprise attack and war by miscalculation; (*d*) the reduction to agreed levels of armed forces and armaments; (*e*) the progressive reduction and elimination of weapons of mass destruction and their means of delivery; (*f*) the prevention of the manufacture of chemical and biological weapons; and (*g*) measures leading to the use of outer space for peaceful purposes only. The General Assembly would also recommend that the experts should confine their examination to the scientific, technical and administrative aspects of control.

On 23 October 1960, Poland submitted a draft resolution which, as revised the following day, would have the Assembly: (1) call for successful conclusion of the negotiations on the cessation of nuclear weapons tests, and for reaching a relevant agreement not later than 1 April 1961, failing which the question should be submitted to a special session of the General Assembly; (2) request the Powers possessing nuclear weapons to refrain from conducting nuclear tests until an agreement on the cessation of such tests was reached; (3) call upon all States manufacturing and possessing nuclear weapons not to participate in any form in the preparation for the production of such weapons by other States and not to make accessible or deliver them to other States; (4) call upon all States not possessing nuclear weapons to refrain from accepting them from other States, and not to initiate their manufacture or prepare for it, be it in their own territory or in the territory of other States; (5) call upon all States to refrain from setting up military bases in the territories of foreign States and from introducing into them and establishing there installations for missile and nuclear weapons; (6) call upon all States on whose territory there existed no foreign military bases and no foreign installations for missile and nuclear weapons, not to permit their introduction or establishment; (7) call upon all States which did not possess their own missile and nuclear installations to refrain from their establishment, and upon States which had only commenced construction of such installations not to proceed with it.

On 1 November 1960, Ethiopia, Ghana, Liberia, Nigeria, Somalia, the Sudan and Tunisia submitted a draft resolution, later co-sponsored by Libya, Guinea and Ceylon, whereby the General Assembly would declare: (1) that the use of nuclear and thermo-nuclear weapons was contrary to the spirit, letter and aims of the United Nations and, as such, a direct violation of the United Nations Charter; (2) that the use of nuclear and thermo-nuclear weapons would exceed even the scope of war and cause indiscriminate suffering and destruction to mankind and its civilization and, as such, was contrary to the rules of international law and to the laws of humanity; (3) that the use of nuclear and thermo-nuclear weapons was a war directed not against an enemy or enemies alone, but also against mankind in general, since the peoples of the world not involved in such war would be subjected to all the evils generated from the use of such weapons; and (4) that any State using nuclear and thermo-nuclear weapons was to be considered as violating the Charter, as acting contrary to the laws of humanity and as committing a crime against mankind and its civilization. It would also request the Secretary-General to ascertain the views of Member Governments on the possibility of convening a special conference for signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons for war purposes and to report on the results of such consultation to the Assembly at its sixteenth session.

On 21 November, Poland submitted a draft resolution proposing that the Assembly establish a committee to prepare a report on the consequences of the use of nuclear weapons, in particular with regard to human life and health and to the material and cultural heritage of mankind, recommend the wide dissemination of the report and decide to consider it at the sixteenth session.

On 1 December, a draft resolution was submitted by Ethiopia, Ghana, Guinea, Mali, and Morocco which were joined by Nigeria, the Sudan and the United Arab Republic in submitting a revised text on 5 December. By this, the General Assembly would: (1) request all States (*a*) to refrain from carrying out or continuing to carry out nuclear or ballistic weapons tests in Africa and (*b*) to eliminate, and refrain from establishing, bases and launching sites in Africa intended for use in testing, storing or transporting such weapons; and (2) invite all States to regard and respect the African continent as a nuclear-free zone.

Towards the end of the debate on 8 December, a revised draft resolution was submitted which was ultimately co-sponsored by the following nineteen Powers: Argentina, Austria, Canada, Chile, Costa Rica, Denmark, Ecuador, Federation of Malaya, Greece, Haiti, Iceland, Iran, Ireland, New Zealand, Norway, Pakistan, Peru, Sweden and Uruguay. The revised draft was based on a resolution submitted on 10 November by Canada, Norway and Sweden and amendments submitted by Iceland. Under the revised draft resolution, the General Assembly would: (1) reaffirm United Nations responsibility in the field of disarmament; (2) express the hope that every effort would be made to achieve general and complete disarmament under international control by the earliest possible continuation of negotiations among the Powers principally concerned, consideration being given to the appointment of an impartial presiding officer; (3) transmit to the Disarmament Commission for its consideration all the documents and records of discussions relating to disarmament at the fifteenth session of the General Assembly; (4) request the Disarmament Commission to examine and make recommendations upon: (*a*) ways and means of facilitating the early resumption of negotiations on general and complete disarmament under effective international control; and (*b*) the essential principles which should guide those negotiations; (5) request the Commission to meet more frequently to consider specific suggestions regarding disarmament made by Member States, other matters referred to it including reports from the negotiating Powers, and giving guidance to the negotiating Powers; and (6) recommend that for the above purposes the Disarmament Commission give consideration to the appointment of *ad hoc* sub-committees as appropriate.

Acting on a procedural Canadian proposal as amended by India, the First Committee decided, on 19 December, not to vote on the above-mentioned draft resolutions at the first part of the session, but to vote only on the draft resolutions concerning the prevention of the wider dissemination of nuclear weapons and the cessation of tests.

Prevention of the wider dissemination of nuclear weapons

On 31 October 1960, Ireland submitted a draft resolution later revised and co-sponsored by Japan, Ghana, Mexico and Morocco. Under the revised version, the General Assembly would: (1) call upon all Governments to make every effort to achieve permanent agreement on the prevention of the wider dissemination of nuclear weapons; (2) call upon Powers producing such weapons, as a temporary and voluntary measure pending the negotiation of such a permanent agreement, to refrain from relinquishing to any nation not possessing them control of such weapons and from transmitting to it the information necessary for their manufacture; and (3) call upon Powers not possessing such weapons, on a similar temporary and voluntary basis, to refrain from manufacturing these weapons and from otherwise attempting to acquire them.

The representative of Ireland, observing that the draft resolution went further than previous ones, hoped that an agreement would be made by non-nuclear States to accept United Nations inspection to ensure that none of them was proceeding to make nuclear weapons. The USSR representative, while preferring the provisions regarding the dissemination of nuclear weapons in the Polish draft resolution (see above), declared his delegation's support of the Irish draft resolution. The United States representative explained that he could not support the draft resolution because the nuclear Powers could not expect other nations indefinitely to deny to themselves nuclear weapons if the nuclear Powers themselves refused to halt the stockpiling of nuclear weapons. Moreover, the draft resolution called for an unverified commitment of indefinite duration. The United States would abstain from voting on the draft resolution. Following approval of the five-Power draft resolution by the First Committee on 19 December, the General Assembly, on 20 December, adopted it by a roll-call vote of 68 to none, with 26 abstentions (resolution 1576 (XV)).

Suspension of nuclear and thermo-nuclear tests

Two draft resolutions, which dealt exclusively with the question of nuclear weapons tests, were voted upon during the first part of the session. On 14 November 1960, Austria, India and Sweden submitted a draft resolution whereby the General Assembly would: (1) urge the States concerned to seek a solution of the few remaining questions so that the conclusion of the agreement would be achieved at an early date; (2) urge the States concerned in these negotiations to continue their present voluntary suspension of the testing of nuclear weapons; and (3) request the parties concerned to report to the Disarmament Commission and to the General Assembly the results of their negotiations.

On 25 November, twenty-six Powers (Afghanistan, Burma, Cambodia, Ceylon, Cyprus, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Nigeria, Sudan, Tunisia, United Arab Republic, Venezuela, Yemen and Yugoslavia) submitted a revised version of their draft resolution submitted on 14 November. By it, the General Assembly would: (1) urge the States concerned to make every effort to reach agreement as soon as possible on the cessation of tests of nuclear and thermo-nuclear weapons under appropriate international control; (2) urge the States concerned in the Geneva negotiations to continue their present voluntary suspension of the testing of nuclear and thermo-nuclear weapons and request other States to refrain from undertaking such tests; (3) request the States concerned in the Geneva negotiations: (*a*) to keep the Disarmament Commission periodically informed of the progress of their negotiations and (*b*) to report the results of their negotiations to the Disarmament Commission and the General Assembly.

The USSR representative supported all draft resolutions dealing with the cessation of nuclear tests, and, in particular, the provisions for the continuation of the voluntary suspension of the testing of nuclear weapons and the twenty-six Power draft resolution's appeal to other States to refrain from carrying out such tests. He joined with other representatives in condemning French testing of nuclear weapons in the Sahara.

The United States representative explained that his delegation would abstain in the voting on the three-Power and twenty-six-Power draft resolutions. The three-Power draft implied that the few questions which remained to be resolved were not important issues, whereas the United States thought they were basic issues on whose satisfactory solution depended the success of the conference. Another reservation about both resolutions stemmed from their request for the continuance of the present voluntary suspension of the testing of nuclear weapons. The United States was concerned lest the possibility of the indeterminate extension of voluntary suspension of nuclear testing came to be regarded as an acceptable alternative to a safeguarded agreement on nuclear testing.

After approval by the First Committee on 19 December, the General Assembly, on 20 December, adopted the three-Power draft resolution by a roll-call vote of 88 to none, with 5 abstentions (resolution 1577 (XV)), and the twenty-six Power draft resolution by a roll-call vote of 83 to none, with 11 abstentions (resolution 1578 (XV)).

(ii) *Second part of the session*

On 21 March 1961, on the proposal of the United States, the First Committee decided to defer until some later stage of the resumed session consideration of the disarmament question since consultations were taking place.

On 30 March, the representative of the USSR and the United States announced to the First Committee that an understanding had been reached to continue during June and July their conversations relating to disarmament and to resume negotiations in an appropriate body whose composition was to be agreed upon, and to inform the General Assembly at its sixteenth session of the progress made.

The two delegations submitted a joint draft resolution whereby the General Assembly would take note of the statements made by the Union of Soviet Socialist Republics and the United States of America on the question of disarmament, and would decide to take up for consideration the problem of disarmament, and all pending proposals relating to it, at its sixteenth session.

Following unanimous approval by the First Committee on 30 March 1961, the General Assembly, on 21 April, unanimously adopted the joint draft resolution (resolution 1617 (XV)).

(*c*) DEVELOPMENTS AFTER THE FIFTEENTH SESSION

On 3 June 1961, the Governments of the United Kingdom and the United States transmitted to the United Nations for distribution to the Members of the General Assembly and the Disarmament Commission their "Draft Treaty on the Discontinuance of Nuclear Weapons Tests" which had been submitted jointly by their delegations on 18 April 1961 to the Conference on the Discontinuance of Nuclear Weapons Tests. That Conference was still in session at the end of the period covered by this report.

On 14 June, the USSR transmitted to the United Nations for circulation to Members a memorandum on the question of the discontinuance of atomic and hydrogen weapons tests given to President Kennedy by Chairman Khrushchev on 4 June in Vienna. Observing that the participants in the Geneva negotiations seemed to be finding it difficult to agree on the discontinuance of tests, the memorandum proposed solving that question together with the question of general and complete disarmament as interdependent questions.

2. The effects of atomic radiation

The annual progress report of the United Nations Scientific Committee on the Effects of Atomic Radiation was discussed by the General Assembly during its fifteenth session in the Special Political Committee on 15 December 1960. The Committee had before it a revised draft resolution sponsored by Canada and Czechoslovakia replacing an earlier draft submitted by Canada. The resolution, adopted unanimously by the Committee and, on 20 December, by the Assembly, noted with appreciation the co-operation which the Scientific Committee on the Effects of Atomic Radiation continued to receive from specialized agencies, the International Atomic Energy Agency, international non-governmental and international scientific organizations and individual scientists; noted the Committee's annual progress report for 1960; and welcomed the report prepared by the Committee in response to General Assembly resolution 1376 (XIV) of 17 November 1960 (resolution 1574 (XV)).

During the debate, many representatives, including those of Australia, Canada, Italy, Japan, Mexico, the United Kingdom and the United States, commended the Scientific Committee for its work in the past and supported the programme outlined in its progress report.

The Committee held its eighth and ninth sessions in Geneva from 19 to 30 September 1960 and from 13 to 24 March 1961. Dr. Manuel Martínez Báez of Mexico and Dr. Hercik of Czechoslovakia served as Chairman and Vice-Chairman of the eighth and ninth sessions.

At its eighth session, the Committee discussed genetic problems, carbon 14, fall-out and dose calculations and made plans for its comprehensive report to be submitted to the General Assembly in 1962. It also considered certain arrangements requested in General Assembly resolution 1376 (XIV) and prepared its annual progress report for 1960. The Committee also unanimously adopted a report on arrangements for stimulating the flow of information and for encouraging research on the genetic effects of radiation on the health of the human population, as called for in General Assembly resolution 1376 (XIV).

At its ninth session, the Committee, which met in sub-groups and working groups, discussed preliminary drafts of the technical annexes, both biological and physical, of the comprehensive report which it expects to submit to the Assembly in 1962. The Committee approved in plenary meeting further plans for this report and elected Dr. Ferdinand Hercik of Czechoslovakia and Dr. Kempo Tsukamoto of Japan to serve as Chairman and Vice-Chairman, respectively, at its tenth and eleventh sessions. It was decided to hold the tenth session of the Committee at United Nations Headquarters, New York, from 28 August to 15 September 1961.

The Committee co-sponsored with the World Health Organization a seminar, on the uses of vital and health statistics for genetic and radiation studies, in Geneva from 6 to 9 September 1960.

3. Peaceful uses of atomic energy

In the "Final Report of the Secretary-General, evaluating the Second United Nations International Conference on the Peaceful Uses of Atomic Energy in relation to the holding of Similar Conferences in the Future", the Secretary-General, with the concurrence of all members of the Advisory Committee, and taking into account the views of the International Atomic Energy Agency and the interested specialized agencies, recommended that a third United Nations International Conference on the Peaceful Uses of Atomic Energy of the same comprehensive character as the previous two should be held in Geneva in 1962, at a precise date to be determined later, on the understanding that the possibility of 1963 as an alternate date should be left open for the time being. The Conference should be sponsored and organized by the United Nations with the full assistance of IAEA and the interested specialized agencies.

The Scientific Advisory Committee met in New York on 11 November 1960 and, as a result of the meeting, a supplement was issued to the above-mentioned final report, in which it was noted that the Advisory Committee was of the unanimous opinion that the third conference should take place in Geneva in the first two weeks of August 1963.

The General Assembly allocated the item concerning the third conference to the Special Political Committee for consideration and report. The item was not discussed at the fifteenth session and the Chairman of the Committee informed the Committee that further consultations on the matter were required. As a result, no recommendation was made to the General Assembly on this subject at its fifteenth session.

4. Peaceful uses of outer space

As mentioned in last year's annual report, the General Assembly in resolution 1472 (XIV) of 12 December 1959 established a Committee on the Peaceful Uses of Outer Space, composed of twenty-four members, to serve during 1960 and 1961, to review the area of international co-operation and to study the means for giving effect to programmes on the peaceful uses of outer space which could appropriately be undertaken by the United Nations. The Committee was to report on its activities to the subsequent sessions of the General Assembly. An item relating to the question was accordingly included in the provisional agenda of the fifteenth session. The Committee, however, had not met by the time of the opening of the fifteenth session.

On 10 October, on the recommendation of the General Committee, the General Assembly included the item in the agenda and on 13 October referred it to the First Committee.

Not having found an opportunity to consider the question, the First Committee on 21 April 1961 recommended to the General Assembly that consideration of the item be adjourned to the sixteenth session of the Assembly. On the same day the General Assembly accepted the Committee's recommendation.

5. Admission of new Members

(*a*) MEMBERS ADMITTED DURING 1960

During 1960, the Security Council made recommendations to the General Assembly for admission to membership in the United Nations of the following applicant States. During its fifteenth session, the Assembly, having considered the Council's recommendations in regard to the respective applications, decided to admit these States to membership.

Applicant State	*Date of Council recommendation*	*Date of admission*	*Resolution No.*
1. Republic of Cameroun	26 January	20 September	1476 (XV)
2. Togolese Republic	31 May	20 September	1477 (XV)
3. Federation of Mali	28 June (later superseded by recommendations concerning the Republic of Senegal and the Republic of Mali; see 16 and 17 below)		
4. Malagasy Republic	29 June	20 September	1478 (XV)
5. Republic of Somalia	5 July	20 September	1479 (XV)
6. Republic of the Congo (Leopoldville)	7 July	20 September	1480 (XV)
7. Republic of Dahomey	23 August	20 September	1481 (XV)
8. Republic of the Niger	23 August	20 September	1482 (XV)
9. Republic of the Upper Volta	23 August	20 September	1483 (XV)

Applicant State	Date of Council recommendation	Date of admission	Resolution No.
10. Republic of the Ivory Coast....	23 August	20 September	1484 (XV)
11. Republic of the Congo (Brazzaville)	23 August	20 September	1486 (XV)
12. Republic of Chad..............	23 August	20 September	1485 (XV)
13. Gabon Republic.................	23 August	20 September	1487 (XV)
14. Central African Republic........	23 August	20 September	1488 (XV)
15. Republic of Cyprus............	24 August	20 September	1489 (XV)
16. Republic of Senegal............	28 September	28 September	1490 (XV)
17. Republic of Mali................	28 September	28 September	1491 (XV)
18. Federation of Nigeria...........	7 October	7 October	1492 (XV)

(*b*) OTHER APPLICATIONS FOR MEMBERSHIP

In a telegram dated 28 November 1960, the Prime Minister of the Islamic Republic of Mauritania applied for membership in the United Nations. In a letter dated 3 December, the Chairman of the Moroccan delegation to the fifteenth session of the General Assembly requested that he be permitted to present his Government's point of view regarding the application of Mauritania before the Security Council.

At the Council's meeting on 3 to 4 December, the application of Mauritania appeared as the first sub-item on the provisional agenda under the heading "Admission of new Members", followed under the same heading, as the second sub-item, by a letter dated 3 December from the Deputy Permanent Representative of the USSR requesting the inscription on the agenda of the question of the admission of the Mongolian People's Republic to the United Nations. In the course of the meeting, after rejecting a motion to consider first the Mongolian application, the Council decided, by 9 votes to 2, to include the sub-item relating to Mauritania, but by 5 votes to 4, with 2 abstentions, it decided not to include the sub-item relating to the Mongolian People's Republic.

Following statements by all the members of the Council and by the representative of Morocco, whose request to participate in the consideration of the question had been acceded to by the Council, the Council voted on the draft resolution submitted by France and Tunisia by which the Council would recommend to the General Assembly that the Islamic Republic of Mauritania be admitted to membership in the United Nations. The draft resolution received 8 votes in favour, 2 against and 1 abstention. One of the negative votes being that of a permanent member of the Council, the draft resolution was not adopted.

On 16 December, the Security Council submitted a special report to the General Assembly concerning its consideration of the application. When the General Assembly considered this report on 18 December, it had before it a draft resolution submitted by Cameroun, Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta under which the Assembly, noting that eight members of the Security Council had voted in favour of a draft resolution recommending the admission of the Islamic Republic of Mauritania, but that no recommendation had been made because of the opposition of a permanent member, and considering it important for the future of the United Nations that all applicant States which fulfilled the conditions laid down in Article 4 of the Charter should be admitted to membership, would declare that in its view the Islamic Republic of Mauritania was a peace-loving State within the meaning of Article 4, that it was able and willing to carry out the obligations of the Charter, and that it should, in consequence, be admitted to membership. The resolution would request the Security Council to take note of the Assembly's decision in regard to the candidature of Mauritania.

The USSR submitted amendments to the eleven-Power draft resolution which provided for: (1) the insertion of a first preambular paragraph whereby the General Assembly would note that the Mongolian People's Republic had been awaiting decision on its application for admission since 1946 and that a favourable decision on the question was being impeded by those members of the Security Council which, on 4 December 1960, had voted against the inclusion in the Council's agenda of its admission for membership; (2) the insertion as the first operative paragraph of a declaration that it was the view of the General Assembly that the Mongolian People's Republic was a peace-loving State within the meaning of Article 4, that it was able and willing to carry out the obligations of the Charter and that it should in consequence be admitted to membership in the United Nations; and (3) the insertion of the words "the candidature of the Mongolian People's Republic", before the words "the candidature of the Islamic Republic of Mauritania" in operative paragraph 2 of the eleven-Power draft resolution. The Assembly agreed that consideration of the item be left over to the resumed session.

On 19 April 1961, the General Assembly voted upon the joint draft resolution and the Soviet amendments. The first Soviet amendment was voted in two parts: the first part which read: "Noting that the Mongolian People's Republic has been awaiting a decision on its application for admission to membership in the United Nations since 1946 . . ." was adopted by 52 votes to 11, with 26 abstentions; the second part, however, received 36 votes in favour and 21 against, with 34 abstentions, and was not adopted as it did not receive the required two-thirds majority. The second Soviet amendment was adopted by 48 votes to 15, with 24 abstentions. The third Soviet amendment received 39 votes in favour and 24 against, with 22 abstentions, and was not adopted as it did not receive the required two-thirds majority. The eleven-Power draft resolution, as amended, was then adopted by a roll-call vote of 48 to 13, with 33 abstentions (resolution 1602 (XV)).

The President of the General Assembly informed the President of the Security Council on 21 April of the Assembly's request to the Council to take note of its decision in regard to the candidature of the Islamic Republic of Mauritania, and transmitted a copy of the resolution. In a telegram dated 3 May, the Prime Minister of the Islamic Republic of Mauritania stated that his Government would be glad if the Council would consider the Assembly's resolution in the near future. On 6 May, the representative of the USSR recalled the letters which his delegation had addressed on 3 December to the President of the Security Council and on 9 December to the President of the General Assembly, requesting consideration of the question of the admission of the Mongolian People's Republic, and asked that they be taken into account in drawing up the agenda of the first meeting of the Council at which the admission of new Members was taken up.

On 12 June, the representative of Liberia transmitted to the President of the Security Council a letter of 25 May from the Chairman of the Conference of Heads of African and Malagasy States, which had taken place in Monrovia between 8 and 12 May. In pursuance of the resolutions passed by that Conference, he drew the Council's attention to the Assembly's resolution on the admission of the Islamic Republic of Mauritania, which the Conference was convinced possessed all the qualifications for membership. It looked with concern upon any attempt to prohibit that Republic from admission to the United Nations by the exercise of a veto or to link its admission to other issues, and therefore called upon the Council to approve the membership of that independent African republic.

In a letter dated 21 April, the Minister of Foreign Affairs of the Republic of Korea, referring to the application of his country on 19 January 1949 for admission to membership in the United Nations, formally requested that that application be resubmitted to the Security Council and to the General Assembly at the sixteenth session.

In a letter dated 27 April, the Minister for External Affairs of Sierra Leone, on behalf of his Government, stated that Sierra Leone, having attained independence on that date, wished to make application for membership in the United Nations. He also transmitted a declaration of acceptance of the obligations contained in the Charter of the United Nations.

6. Letter dated 29 September 1960 from the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia, addressed to the President of the General Assembly

In a letter addressed to the President of the General Assembly dated 29 September 1960, the President of Ghana, the Prime Minister of India, the President of Indonesia, the President of the United Arab Republic and the President of Yugoslavia stated that, in view of the present tension in international relations and confident that the Members of the United Nations were keenly desirous of reducing that tension and paving the way for the promotion of further efforts for peace, they were submitting a draft resolution for immediate consideration by the General Assembly.

The draft resolution provided that the General Assembly, deeply concerned with the recent deterioration in international relations which threatened the world with grave consequences, aware of the great expectancy of the world that the General Assembly would assist in helping to prepare the way for the easing of world tension and conscious of the grave and urgent responsibility that rested on the United Nations to initiate helpful efforts, would request, as a first urgent step, the President of the United States of America and the Chairman of the Council of Ministers of the Union of Soviet Socialist Republics to renew their contacts interrupted recently, so that their declared willingness to find solutions of the outstanding problems by negotiation might be progressively implemented.

The draft resolution was formally introduced during the Assembly's general debate on 30 September and was later considered separately by the Assembly on 5 October.

The sponsors of the draft resolution, after referring to the deterioration in international relations following the breakdown of the summit conference in the spring of 1960, stated that no solution of pressing world problems would be possible as long as relations between the Heads of State of the United States and the USSR had not been restored to normalcy. While they were aware that the adoption of the draft resolution would not automatically lead to a solution of the problems facing the world, they, however, felt that the atmosphere must be improved so that negotiations could start again.

In a letter dated 2 October to the sponsors of the draft resolution, the President of the United States stated that he shared their concern about the present state of international relations and understood and sympathized with the motives which had led them to propose the resolution. However, the chief problems of the world today were not due solely to differences between the United States and the USSR and were, therefore, not possible of solution on a bilateral basis. Furthermore, there was nothing in the words or action of the Government of the USSR which gave hope that the meeting suggested in the draft resolution would yield productive results, and he would not wish to participate in a mere gesture which in the present circumstances might convey a thoroughly misleading and unfortunate impression to the peoples of the world.

On 3 October, the Chairman of the Council of Ministers of the USSR in letters to the five sponsors declared his highest regard for the motives which had led the sponsors to introduce the draft resolution. He stated that the Government of the USSR had always held the view that international problems could be resolved by peaceful means. For that reason, the USSR had urged the holding of a summit meeting but, on the eve of that meeting, the United States had embarked on a policy of aggressive acts exemplified by violation of the national frontiers of the USSR by United States military aircraft. The United States had not only failed to give satisfaction to the USSR for those violations, but, through its President, had confirmed such acts as its official policy. However, he was still prepared to enter into negotiations with the President of the United States provided the United States would condemn the acts to which he had referred and show by deeds its willingness to improve relations with the USSR.

On 3 October, Australia submitted an amendment which would replace the operative paragraph of the five-Power draft resolution by a new text which would: (1) recall that a conference had been arranged to take place in Paris on 17 May 1960 between the President of the United States of America, the Chairman of the Council of Ministers of the USSR, the President of the French Republic and the Prime Minister of the United Kingdom of Great Britain and Northern Ireland, in order that the four leaders should examine matters of particular and major concern for their four nations; (2) recall that the conference did not begin its work; (3) note that the President of the United States and of the French Republic and the Prime Minister of the United Kingdom had issued a statement regretting that the discussions could not take place, reaffirming their conviction that all outstanding international questions should be settled by peaceful means through negotiation, and expressing their readiness to take part in such negotiations at any suitable time; (4) express the belief that the world would benefit from a co-operative meeting of the four Heads of Government in relation to those problems which particularly concern them and that progress towards the solution of those problems would contribute to the general work of the United Nations for peace; (5) urge that such a meeting be held as soon as practicable.

The representative of Australia, introducing his delegation's amendment on 5 October, stated that the five-Power draft resolution gave the impression that the world conflict was between the United States and the USSR, but that was to put the world's problems out of perspective. His delegation felt that a resumption of summit talks should be encouraged, and the aim of his amendment was to widen the projected participants from two to four through the participation of the United Kingdom and France.

The sponsors of the draft resolution stated that the Australian amendment, which they considered to be an entirely new proposal, had missed the point completely. What they had proposed was a renewal of contacts between the two Heads of State, not that they should discuss the affairs of the world and finalize them. That could not be done by two or four or even ten Powers. So long as relations between the two leaders had not been restored to normalcy, big Power conferences could not take place.

Meanwhile, the sponsors introduced a revised text of their draft resolution replacing the word "requests" in the operative paragraph by the words "expresses the hope that".

The Assembly rejected the Australian amendment by a roll-call vote of 45 to 5, with 43 abstentions.

Before the vote on the five-Power draft resolution, the representative of Argentina proposed that the words "the President of" and "the Chairman of the Council of Ministers of" in the operative paragraph be voted on separately. The motion for division was opposed by the representative of India, who stated that if the two phrases were not adopted the resulting text would be an incorrect statement of fact. The motion was supported by the representatives of the United States and Pakistan and opposed by the representatives of India and Guinea. It was approved by a roll-call vote of 37 to 36, with 22 abstentions.

On being put to the vote, the two phrases received 41 votes in favour, 37 against, and 17 abstentions. The President ruled that the two phrases required a two-thirds majority and had therefore not been adopted.

This ruling was challenged by the representative of India but was sustained by the Assembly by 43 votes to 37, with 15 abstentions.

After a brief recess, the representative of India on behalf of the sponsors withdrew the draft resolution. He stated that the changes that had been made in the draft resolution had rendered part of it contrary to fact and had altered its purpose.

7. Co-operation of Member States

On 17 October 1960, the representative of India introduced a draft resolution on behalf of his delegation and those of Austria, Bolivia, Burma, Ecuador, Finland, Ghana, Indonesia, Iraq, Mexico, Morocco, Panama, Tunisia, the United Arab Republic, Venezuela and Yugoslavia. Cambodia, Ceylon, Ethiopia, Guinea, Lebanon, Libya, Nepal, Nigeria, Saudi Arabia, Somalia, the Sudan and Yemen joined subsequently in sponsoring the draft resolution.

Statements in support of the joint draft resolution were made by the representatives of Venezuela, the USSR, Pakistan, the United States, Peru, Cyprus and Israel.

The General Assembly adopted the joint draft resolution unanimously (resolution 1495 (XV)). In the resolution it urged that all countries, in accordance with the Charter of the United Nations, should refrain from actions likely to aggravate international tensions and reaffirmed that the strength of the United Nations rested on the co-operation of its Member States which should be forthcoming in full measure in order to make the Organization a more effective instrument for the safeguarding of peace and for the promotion of the economic and social advancement of all peoples. It urged, further, that immediate and constructive steps should be adopted in regard to the urgent problems concerning the peace of the world and the advancement of its peoples and appealed to all Member States to use their utmost endeavours to those ends.

8. Declaration on the granting of independence to colonial countries and peoples

On 23 September 1960, the Union of Soviet Socialist Republics requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "Declaration on the granting of independence to colonial countries and peoples". In an explanatory memorandum, it was stated that one of the great processes of modern times was the emancipation and restoration to independent life of peoples which had been under colonial domination for centuries. However, more than 100 million human beings were still living in conditions of colonial oppression and exploitation. The United Nations could not remain indifferent to that situation. In keeping with the principles of its Charter, the United Nations must declare itself in favour of the immediate and complete elimination of the colonial system in all its forms and manifestations. The Soviet Union was therefore submitting a draft declaration whereby the Member States would proclaim: (1) that all colonial countries and Trust and Non-Self-Governing Territories must be granted forthwith complete independence and freedom to build their own national States in accordance with the freely-expressed will and desire of their peoples; (2) that all strongholds of colonialism in the form of possessions and leased areas in the territory of other States must be eliminated; and (3) that the Governments of all countries should observe strictly and steadfastly the provisions of the United Nations Charter and of this Declaration concerning the equality and respect for the sovereign rights and territorial integrity of all States without exception, allowing no manifestations of colonialism or any special rights or advantages for some States to the detriment of other States.

On 10 October, the General Assembly decided, on the recommendation of the General Committee, to place the item on its agenda and, on 13 October, it adopted a USSR proposal to discuss the item in plenary meetings. It was discussed at twenty-three plenary meetings held between 28 November and 14 December.

On 28 November, the representative of Cambodia, on behalf of twenty-six African-Asian Member States, introduced a draft resolution embodying a declaration which was eventually co-sponsored by forty-three African-Asian States. In his introductory remarks, he stated that the sponsors of the draft resolution had endeavoured to find formulas and solutions which could be acceptable to the greatest number of delegations possible.

The declaration contained in the operative part of the African-Asian draft resolution stated, *inter alia*, that: (1) the subjection of peoples to alien subjugation, domination and exploitation constitutes a denial of fundamental human rights, is contrary to the Charter of the United Nations and is an impediment to the promotion of world peace and co-operation; (2) all peoples have the right of self-determination; (3) inadequacy of preparedness should never serve as a pretext for delaying independence; (4) all repressive measures directed against dependent peoples shall cease and the integrity of their national territory shall be respected; (5) immediate steps shall be taken to transfer all powers without any reservations to the peoples of Territories which have not yet achieved independence; (6) any attempt to disrupt the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter; (7) all States shall observe faithfully and strictly the provisions of the Charter, the Universal Declaration of Human Rights and this declaration on the basis of equality, non-interference in the internal affairs of all States, and respect for sovereign rights of all peoples and their territorial integrity.

Honduras also submitted a draft resolution which, *inter alia*, proposed that the General Assembly should proclaim the elimination of colonialism throughout the world and appoint a five-member commission to examine the situation in the Trust and Non-Self-Governing Territories, with a view to proposing to the General Assembly, at its sixteenth session, what concrete measures should be recommended or applied in each case in order to achieve the complete abolition of colonialism throughout the world.

On 28 November, the USSR representative, opening the discussion on the item, said that although the great process of liberation of peoples under colonial bondage had already achieved striking results in Asia and Africa, the system of colonialism had not yet come to an end. Moreover, as recent events in the Congo had shown, some countries had not been completely freed from colonial domination in spite of their nominal independence. Then, there were still many countries in Asia, Africa, Latin America and Oceania which were under foreign control. It was impossible, he stated, to remain aloof and unresponsive to the struggle for independence which had been going on in Kenya, Oman, Nyasaland, Angola, Mozambique, Rhodesia, Ruanda-Urundi, South West Africa, Tanganyika, Uganda, West Irian and to the war of liberation in Algeria. It was for that reason that the Chairman of the USSR Council of Ministers had submitted, on 23 September 1960, for the consideration of the General Assembly, the declaration on the granting of independence to colonial countries and peoples.

A number of representatives, among them those of Albania, Bulgaria, the Byelorussian SSR, Czechoslovakia, Hungary, Poland, Romania and the Ukrainian SSR, stated that immediate and complete liquidation of colonialism in all its forms would be an outstanding victory for the forces of peace, progress and freedom. The struggle of the peoples for their liberation could not be checked because that was a great historic process which had been going on with ever-growing force. The United Nations was in duty bound to put an end to that system completely and the best way in which it could make its contribution would be the adoption of the declaration submitted by the Soviet Union.

A number of the African-Asian representatives submitting the twenty-six Power draft resolution welcomed the initiative taken by the Soviet Union in putting an item on colonialism on the agenda of the Assembly and explained why they were submitting their own draft declaration. They stated that the African-Asian States had been long concerned with that question. The Bandung Conference of Asian-African States in 1955 had initiated a number of fundamental principles which had become the cornerstone of their policy towards the colonial countries and peoples. Those principles were further considered at the conference of African States at Accra in 1958, at Monrovia in 1959 and at Addis Ababa in 1960. The draft declaration they were now submitting was the culmination of all those principles and ideals. While there was no doubt that in the course of the last fifteen years the United Nations had devoted its most diligent efforts towards carrying out its obligations under Chapters XI, XII and XIII of the Charter relating to Trust and Non-Self-Governing Territories, it was a fact that sometimes the progress in that respect had been slow and consequently there were still large areas under colonial rule.

They further stated that economic freedom was as essential as political freedom. They condemned racial discrimination which they considered a manifestation of colonialism, especially as practised by the Union of South Africa. They also condemned interference by colonial Powers in the internal affairs of their former dependent territories.

The representative of the United Kingdom said that his delegation had hoped that the present debate would be a serious discussion of the ways in which all could help to realize the aspirations of those peoples which did not yet enjoy what the Charter had described as a full measure of self-government. However, the main purpose of the USSR draft declaration seemed to be to arouse passions, to create chaos and to intensify the cold war. In the sense that colonialism involved the permanent subjection of one people to another it was already accepted as an out-of-date political relationship by all those who had subscribed without reservation to Chapter XI of the United Nations Charter and had since honoured it in practice. The United Nations was well aware of the way the United Kingdom had carried out its obligations. It was necessary that the United Nations machinery for dealing with Trust and Non-Self-Governing Territories should not be destroyed by unconstructive and irresponsible criticism. The problems of development of political independence varied according to the circumstances of different territories. The United Kingdom considered it as its solemn obligation, in accordance with Article 73 b of the Charter, to work out with the peoples concerned the form of independence which would best satisfy their aspirations.

The representatives of Australia and New Zealand supported the statement made by the United Kingdom representative that colonialism was a transitional phase and that Non-Self-Governing and Trust Territories had made remarkable progress towards independence in accordance with the provisions of the Charter. Each case was governed by its own circumstances and in some cases where progress had been slower this was because of the special circumstances of a particular territory.

The representatives of some Latin American countries stated that the juridical traditions of their countries made them natural allies of the cause of independence for colonial countries. However, they favoured independence and freedom everywhere, in all attitudes and under all systems. Therefore, the debate on colonialism should be widened to include all issues relating to freedom, like freedom of speech and freedom to worship. The representatives of Guatemala, Honduras and Panama also pointed out that colonialism existed in the Western Hemisphere and the colonies in America represented an area of about 2,700,000 square kilometres with a population of more than 3 million people. The representative of Cuba stated that the General Assembly should recommend the granting of self-determination and sovereignty to the people of Puerto Rico.

The representative of the United States stated that, as a result of the application of Article 73 of the Charter, some thirty-four countries had attained independence since 1946. While it was necessary to bring dependent territories to self-governing status, it was also imperative to plan soundly for the future of those territories. In that respect, wishes of the indigenous people should be of paramount consideration. Some representatives had referred to the existence of colonialism in Puerto Rico, but the people of Puerto Rico had, through an expression of their free will, chosen to be associated with the United States as a self-governing commonwealth. There was, however, a new colonial system which had been imposed by force on many peoples, many of which had for centuries been independent. It was indeed befitting that the African-Asian draft declaration condemned colonialism "in all its manifestations".

The representative of Portugal, Spain and Belgium replied to certain statements concerning their countries made during the debate. The representative of Portugal said that his country had been for centuries a unitary nation and it had always been recognized as such by the international community. The practice of colonialism was completely alien to the Portuguese nation. The representative of Spain said that Spain had been an Eurafrican Power for a long time and to describe any part of Spain as a colony would be an interference in the internal affairs of a Member State in contravention of the principles of the United Nations Charter. The representative of Belgium said that the transfer of power by his Government to the Congo (Leopoldville) had been complete and without any reservations and there had never been a question of Belgium returning. While Belgium still exercised trusteeship over Ruanda-Urundi, that trusteeship would come to an end in the first six months of 1962.

On 7 December, the USSR representative, commenting on the African-Asian draft declaration, stated that it had many elements in common with the Soviet declaration. Both had the same objective. However, the African-Asian declaration was incomplete in certain respects and some of its paragraphs were not sufficiently clear, which accounted for various interpretations among its co-sponsors. He therefore submitted two amendments to insert two new paragraphs in the African-Asian draft declaration. Under the first amendment, the Assembly would call on the Powers concerned to enter into negotiations with the representatives of the colonial peoples so that all colonial countries and peoples should attain independence not later than the end of 1961 and take their rightful place in the community of nations. Under the second amendment, the Assembly would decide to consider the question of the implementation of the declaration at its sixteenth session.

On 14 December, the Assembly voted by roll-call on the draft declarations and resolution before it. The Soviet draft declaration was rejected, part A by 35 votes to 32, with 30 abstentions, and part B by 43 votes to 25, with 29 abstentions. The first of the Soviet amendments to the African-Asian draft resolution was rejected by 47 votes to 29, with 22 abstentions; the second received 41 votes in favour, 35 against and 22 abstentions and was also not adopted, having failed to obtain the required two-thirds majority. The African-Asian draft resolution was adopted by 89 votes to none, with 9 abstentions (resolution 1514 (XV)). The representative of Honduras did not press for a vote on his draft resolution.

9. Africa: a United Nations programme for independence and development

On 28 September 1960, the United States of America requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "Africa: a United Nations programme for independence and development". Attached was an explanatory memorandum elaborating on a programme for assistance to the new countries of Africa proposed by the President of the United States on 22 September and based on the combined efforts of the world community operating through the United Nations. An addendum was submitted on 20 October containing a draft resolution submitted for illustrative purposes.

After having been included in the agenda by the General Assembly on 10 October, the item was considered by the First Committee at ten meetings between 23 March and 21 April 1961.

Introducing the item, the representative of the United States expressed the hope that a really effective United

Nations programme for the African nations would emerge from the discussion. His delegation would welcome an African initiative to determine the content of a detailed programme, since in the last analysis it was only Africans who could develop Africa.

On 11 April, twenty-five African States submitted a draft resolution. Under part A of that draft resolution, the General Assembly, considering that the independence of colonial territories was a prerequisite for the development of all States in Africa, would *inter alia*, direct the Fourth Committee to work out precise details including target dates for the implementation of resolution 1514 (XV) (relating to the declaration on the granting of independence to colonial countries and peoples). Under part B, the General Assembly would, *inter alia*; reaffirm resolution 1527 (XV) (regarding assistance to former Trust Territories and other newly independent States) and specially urge the economically advanced countries to increase financial and technical assistance to African countries through multilateral channels and within the framework of the Economic Commission for Africa, with no conditions attached prejudicial to their political and economic sovereignty; reaffirm its resolution 1518 (XV) (relating, *inter alia*, to the strengthening of the regional economic commissions); call attention to the particular importance of providing assistance to African countries, at their request, in shaping long-term social and economic development through (*a*) the expansion of regular technical assistance programmes of the United Nations, (*b*) the acceleration of the appropriate technical assistance and pre-investment activities of the Special Fund and of the Expanded Programme of Technical Assistance, (*c*) the establishment of an economic development bank for Africa, (*d*) the establishment under the auspices of ECA of an Economic Development Institute for Africa. The Assembly would also express the belief that ECA should play an important role in co-ordinating economic and technical assistance to Africa; welcome the convening by UNESCO of a conference on education in relation to the economic development of Africa to be held in Addis Ababa in May 1961; recognize the necessity that studies and measures relating to trade in primary commodities should lead to action to alleviate the problems of under-developed countries with respect to their trade in primary commodities; and request the Economic and Social Council to make the necessary studies for implementation of those provisions of this resolution within its competence.

On 21 April, the First Committee, in view of the limited time before the end of the fifteenth session, decided to recommend to the General Assembly that consideration of the item be adjourned to the sixteenth session of the Assembly. On the same day the Assembly accepted the Committee's recommendation.

10. Appeal for maximum support to efforts of newly emerging States for strengthening their independence

On 19 August 1960, Czechoslovakia requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled: "Appeal for maximum support to efforts of newly emerging States for strengthening their independence". An attached explanatory memorandum stated that one of the characteristic features of the contemporary international situation was the fact that the entire colonial system had reached a stage of rapid disintegration, and that now more new States were joining the family of independent States. The United Nations would not live up to the principles of the Charter if it failed to pay due attention to that situation and to adopt measures capable of ensuring a smooth transition of the new States to independence by over-all assistance by the Member States of the United Nations.

On 10 October, the General Assembly decided to include the item on its agenda and, on 13 October, referred it to the Special Political Committee which considered it between 7 and 13 December 1960 and on 21 April 1961.

On 6 December, the President of the General Assembly brought to the attention of the Committee the text of a draft resolution adopted by the Second Committee on 2 December 1960, under the item entitled "Assistance to former Trust Territories and other newly independent States".

On 19 December, the representatives of Bolivia and Cuba circulated a draft resolution, under which the General Assembly, *inter alia*, would: (1) reaffirm the sovereign rights of States to the free use of their natural wealth and resources, including the right to nationalize such wealth and resources; and (2) declare its opposition, in strict observance of the principles of equality and self-determination of peoples embodied in the Charter of the United Nations, to all forms of political and economic domination of one State by another which tended to restrict the full exercise of the sovereign rights of that State.

On 13 December, the Committee decided to adjourn the debate on the item until the resumption of the fifteenth session. On 21 April 1961, after noting that the sponsor of the item did not wish to press for its further consideration because of shortage of time, it decided not to take further action on the item and therefore made no recommendation to the General Assembly.

11. Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems

On 18 August 1960, Romania requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "Actions on the regional level with a view to improving good neighbourly relations among European States having different social and political systems". In this connexion, it suggested that the Governments concerned might pledge themselves to refrain from violence in their bilateral relations and might initiate talks for the removal of causes which could create tension and for the regulation of litigious issues, and might also sign treaties of understanding and collaboration or other forms of regional understanding.

The General Assembly included the item in its agenda on 10 October, upon the recommendation of the General Committee, and subsequently decided to allocate it to the Special Political Committee.

On 21 April 1961, the Chairman informed the Special Political Committee that owing to the shortage of time, the sponsor of the item was not pressing for its consideration. Accordingly, the Committee in its report made no recommendation to the General Assembly on the question. On 21 April, at the closing meeting, the President drew the Assembly's attention to the report.

12. The United Nations Emergency Force

In accordance with resolution 1125 (XI) of 2 February 1957, the Secretary-General submitted on 13 September 1960 a fourth progress report on the organization and financing of the Force since 10 September 1959, when the last report on the Force was made to the General Assembly. The report included a section on financial arrangements and cost estimates.

This progress report again dealt with a period of continuing quiet and was therefore of a routine nature. While the presence of the Force was a major factor in the maintenance of peace and quiet in the area, its absence would, in the judgement of all concerned, be likely to result in a recurrence of dangerous border disturbances and violence. Financing of the Force was still a most serious problem which was dealt with in the second part of the progress report.

In the period under review, such incidents as had occurred had been of a relatively minor nature, although without the restraining influence of the Force they might have got out of hand.

As a consequence of the formation of the United Nations Force in the Congo, the Swedish battalion with UNEF was sent to the Congo on 19 July 1960 on a temporary assignment for one month. It was subsequently decided that this battalion, to the extent that its personnel would volunteer to do so (as most of them did), would remain in the Congo for the rest of its tenure and that a new battalion from Sweden would take its place in UNEF. The Swedish Government agreed to provide the new battalion by the end of September 1960. Early in May 1961, two Swedish companies (about 200 men) were transferred from UNEF to ONUC. These two companies were sent to ONUC as reinforcement to the Swedish battalion there. Thirteen UNEF officers were also deputed to ONUC for staff duties for a short initial period of the ONUC operation.

The cost estimates for the maintenance of the Force were discussed by the Fifth Committee at two meetings on 16 December 1960. The Secretary-General expressed the view, in his foreword to the estimates, that the Force should continue during 1961 at its current strength and reported that the 1961 operating costs showed a decrease of $915,000 on the 1960 appropriation, although reimbursements to Governments showed an increase of $300,000. He also suggested that the General Assembly should reconsider the original reimbursement policy approved at its twelfth session.

During the discussion, several representatives stated the position of their Governments that UNEF had been established illegally and that their Governments would not contribute to its maintenance. Others, while not questioning the juridical basis of the Force, considered that arrangements made for financing it did not take account of different levels of responsibility. Still other representatives favoured inclusion of the cost of the Force in the regular budget of the Organization.

The representatives of the United Kingdom and the United States announced that, subject to parliamentary approval, their Governments would make voluntary contributions to the 1961 expenses of the Force of $135,000 and $1.8 million, respectively. A draft resolution introduced by Canada, Denmark, India, Norway, Sweden and Yugoslavia was adopted by the Fifth Committee by 31 votes to 8, with 19 abstentions.

On 20 December, the General Assembly took note of the Secretary-General's progress report on the Force and adopted the draft resolution recommended by the Fifth Committee. Under this resolution the Assembly, *inter alia,* authorized the Secretary-General to expend up to a maximum of $19 million for the continuing operation of UNEF during 1961; decided to assess this amount against all States Members of the United Nations on the basis of the regular scale of assessment, subject to certain conditions relating to voluntary contributions and the assessments of Member States admitted to membership during the fifteenth session and of other Member States receiving assistance under the Expanded Programme of Technical Assistance (resolution 1575 (XV)).

13. The Palestine question

On 1 April 1961, Jordan complained to the Security Council that the contemplated Israel military parade to be held on 20 April in the Israel-occupied part of Jerusalem would be an act of military provocation and a violation of the Armistice Agreement and that this act would be taken in defiance of a prior decision of the Mixed Armistice Commission with regard to the same event, namely that a dress rehearsal for that parade held on 16-17 March had been a breach of that Agreement. The contemplated act would endanger international peace and security. On 2 April, Israel replied that the allegation of danger to peace and security was without a vestige of foundation, Jordan already having received full assurance regarding the purely ceremonial character of the parade. The Security Council considered the complaint at three meetings, on 6, 10 and 11 April. The representatives of Israel and Jordan took part in the discussion.

The representative of Jordan reviewed the facts leading to the decision adopted by the Mixed Armistice Commission on 20 March, and stressed the following points: first, any heavy armament of any kind, for any purpose and under any condition, was not allowed to enter the sector of Jerusalem, in accordance with the provisions of the General Armistice Agreement; second, the Israel views concerning the contemplated parade had been put before the Mixed Armistice Commission and the Chief of Staff and had been rejected; third, the Mixed Armistice Commission had considered the bringing of armament by Israel to the city of Jerusalem as a breach of the General Armistice Agreement and it had condemned Israel for that violation.

The representative of Israel stated that at the root of the continuing difficulties was the refusal of the Arab countries, contrary to their obligations under the Charter, the resolutions of the United Nations and the General Armistice Agreements, to make peace with Israel. He stated that this was not the first occasion nor had Israel been alone in bringing into the Jerusalem area for ceremonial purposes equipment prohibited by the General

Armistice Agreement. On numerous previous special occasions, both Israel and Jordan had conducted military parades on either side of the line in Jerusalem. He suggested that it was open to serious doubt whether the ceremonial parading of military equipment without ammunition, and thus incapable of military use, constituted even a "formal breach" of the General Armistice Agreement.

On 10 April, the representatives of Ceylon and the United Arab Republic submitted a draft resolution, the operative part of which provided that the Council would: (1) endorse the decision of the Mixed Armistice Commission of 20 March 1961; and (2) urge Israel to comply with that decision.

On 11 April, the representative of the United States proposed an addition to the joint draft resolution, which became paragraph 3, requesting the members of the Mixed Armistice Commission to co-operate so as to ensure compliance with the General Armistice Agreement.

At the same meeting, the Council voted on the joint draft resolution and the United States amendment. The United States amendment was adopted by 7 votes to none, with 4 abstentions, and the draft resolution, as amended, by 8 votes to none, with 3 abstentions.

During the debate in the Council, the majority of speakers, while noting that the atmosphere in that area had been relatively calm in recent years, emphasized the importance of upholding the decision of the Mixed Armistice Commission and the need for strict compliance with the provisions of the General Armistice Agreement.

On 17 April, the Secretary-General circulated a report on compliance with the Security Council's resolution. He stated that on 11 April he had requested, through the Chief of Staff of the United Nations Truce Supervision Organization, a reply from the Israel Government on compliance with its terms. On 14 April, a further request was made to the Israel authorities for a direct reply. The Secretary-General explained that this request was made necessary by the Israel response to the first letter of the Chief of Staff to the effect that discussions on the resolution were taking place in New York with the Secretary-General.

Meanwhile, on 13 April, Israel had requested an emergency meeting of the Mixed Armistice Commission to consider its verbal complaint regarding an alleged concentration of heavy military equipment in the Jordanian part of Jerusalem contrary to the General Armistice Agreement. The Israel representative interpreted paragraph 3 of the Security Council's resolution as providing a basis for consideration of the question of the parade by the Mixed Armistice Commission. That position was confirmed in a letter of 16 April from the Prime Minister of Israel to the Secretary-General.

In his report, the Secretary-General observed that an examination of the Security Council debate indicated that this interpretation of the relationship between paragraph 2, urging Israel to comply with the Security Council's decision, and paragraph 3 of the resolution was incorrect. The sponsor of the amendment in paragraph 3 had explained that he supported the resolution, and that paragraph 3 looked only to the future. Thus, paragraph 3 was in no sense intended to derogate from the meaning of paragraph 2 which was fully valid irrespective of paragraph 3. The Secretary-General stated further that the consideration by the Mixed Armistice Commission of the Israel complaint against Jordan, even if confirmed, could not release Israel from the obligation to comply with the provisions of the Security Council resolution.

The Secretary-General concluded that he found it necessary to report to the Security Council that thus far there had been no response on the part of the Israel Government on its attitude towards paragraph 2 of the resolution.

On 19 April, the Secretary-General circulated a report by the Chief of Staff of UNTSO, as an addendum to the above report, regarding the emergency meetings of the Israel-Jordan Mixed Armistice Commission convened to consider the Israel complaint referred to above and a Jordan verbal complaint submitted on 14 April (see below).

Concerning the Israel complaint, the Chief of Staff reported that an investigation carried out by UNTSO in the Jordan part of Jerusalem had found no evidence of any equipment beyond that allowed in the General Armistice Agreement. Nor were there any indications of alleged equipment having been placed in position recently.

The Chief of Staff reported on the emergency meeting of the Mixed Armistice Commission which began on 17 April and ended on 19 April. This meeting was referred to in the Israel press as a "marathon meeting" and, according to the Chief of Staff, the Jordan delegation suspected that it was a filibuster. The Israel delegation made a number of new proposals, among them that the Commission decide to strike off all the outstanding complaints on its agenda (some 3,800), and a general declaration of an obligation by members of the Mixed Armistice Commission to co-operate "so as to ensure that all the articles of the General Armistice will be complied with in full", and calling for "direct negotiations to work out ways and measures to bring about that result". When the proposal to strike off all pending complaints failed of adoption, the Israel delegation submitted a new proposal calling for meetings of a sub-committee to study "ways and means of disposing of all outstanding complaints". Four more proposals were submitted by Israel. In all these cases the Chairman abstained. The Israel delegation then walked out of the meeting on the morning of 19 April.

The Chairman of the Mixed Armistice Commission notified both parties that he would convene the Commission in emergency meeting on the afternoon of the 19th, the day the Israel delegation left, to discuss Jordan's complaint submitted on 14 April regarding the concentration of troops and heavy equipment on the Israel side of Jerusalem in excess of the provisions of the General Armistice Agreement.

During the investigation, the Israel representatives restated their original assurance that Israel had no hostile intentions in holding on 20 April a military parade in Jerusalem and that Israel intended to keep tranquillity along the Armistice Demarcation Line.

In the absence of the Israel delegation, the Mixed Armistice Commission adopted on 19 April a resolution submitted by Jordan stating, among other things, that on or about 12/14 April 1961 Israel had concentrated a large amount of heavy military equipment on the Israel side of the Armistice Demarcation Line and calling on the Israel authorities to withdraw forthwith such heavy arms and equipment from the Israel side of the Jerusalem area.

COMMUNICATIONS TO THE SECURITY COUNCIL

In a letter dated 1 July 1960, the representative of Israel complained to the Security Council that the situation on the Israel-Syrian border was deteriorating as a result of recent acts of aggression committed by the armed forces of the United Arab Republic on 11, 12 and 28 June. In a reply dated 6 July the representative of the United Arab Republic rejected the Israel claim.

On 10 November, the representative of Israel stated that the United Arab Republic, on 3 November, had finally confiscated the cargo of 400 tons of cement aboard the Greek vessel *Astypalea,* which had been detained at Port Said on 17 December 1959. The ship was permitted to return northward on 10 April 1960, after having been forced to discontinue its voyage and abandon its cargo.

REPORT OF THE CONCILIATION COMMISSION FOR PALESTINE

On 14 November 1960, the Conciliation Commission for Palestine submitted its eighteenth progress report to the General Assembly covering the period 1 September 1959 to 11 November 1960. The Commission stated, among other things, that it had directed its efforts principally to the programme of identification and valuation of Arab refugee immovable property holdings in Israel, and the release of Arab refugee bank accounts and safe deposits blocked in Israel. As the identification of Arab individual holdings in Israel was now practically complete, the work of valuation had commenced both in urban areas and in rural districts, and it was expected that the work of analysis might be completed by August 1961.

14. Assistance to Palestine refugees

(*a*) REPORT OF THE DIRECTOR OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

In his annual report to the General Assembly at its fifteenth session, the Director of UNRWA reviewed the work of the Agency for the year ending in June 1960 and indicated a plan of operations for 1960-1963.

The Director pointed out that in 1948 the population of Palestine was about 30 per cent urban and 70 per cent rural. Over two-thirds of the urban refugee population had already become self-supporting in other Arab countries since they possessed skills which had proved useful. The remaining 75 to 80 per cent were farmers, unskilled workers, the children, the aged and sick. However, the areas where these refugees were presently located held almost no prospect for their absorption into satisfactory self-supporting employment because the host countries were already saturated with farmers and unskilled labourers. Therefore, the refugees would have to move across an international frontier in one direction or another. In this connexion, the Director cautioned against facile assumptions that the solution of the refugee problem rested with the host Governments. While political factors had tended to retard progress on the refugee problem, economic and educational limitations had, in the Director's opinion, been dominant.

The Director stated further that, for the majority of the refugees, opportunities for living normal, independent lives had been non-existent, and that this situation of enforced idleness had inevitably affected their general outlook and morale. He stressed that, in the minds of the refugees, the promise which had been made in paragraph 11 of General Assembly resolution 194 (III), and which had been reaffirmed annually thereafter, continued to be the one acceptable long-term solution to their problems. The refugees were embittered because the promise had remained unfulfilled.

The Director declared that UNRWA by itself could not solve the refugee problem. Any general solution to the complex Palestine problem, including the problem of registered refugees, now numbering over 1,120,000, would be brought about largely by forces outside UNRWA, forces which would govern and shape the future of the Middle East. It was the Director's opinion that major development projects in the Middle East should proceed independently of UNRWA and without direct reference to the resettlement of refugees.

The Director recalled that UNRWA had carried out functions broadly identified as relief and rehabilitation. The relief function of UNRWA, namely the provision of food, shelter and medical care, had absorbed most of the funds of the Agency and had been maintained strictly at the minimum level dictated by budgetary limitation. The rehabilitation function of the Agency, which had been intended to render a substantial number of refugees self-supporting and permit a gradual reduction of the burden of relief, had failed to achieve any appreciable results. The Director strongly urged approval of the three-year programme presented, drawing special attention to its provisions for assisting younger refugees.

The Director was of the opinion that the refugee problem would persist well beyond the three-year extended mandate of the Agency, and that some responsibility for international assistance would continue for a decade or more.

(*b*) CONSIDERATION BY THE GENERAL ASSEMBLY

At the fifteenth session of the General Assembly, the question of aid to Palestine refugees was referred to the Special Political Committee which considered the item at twenty-six meetings held between 14 November and 19 December 1960 and between 11 and 18 April 1961.

In presenting his report to the Committee, the Director stated that the review of the situation in the past and present gave some idea of the extent of the tragic plight of the Palestine refugees. He pointed out that the refugees, having existed for more than twelve years with the help of meagre assistance, saw their hopes for the future grow even dimmer. He stressed the pressing need for a political settlement of the Palestine refugee problem which, as it increased in size and complexity year by year, overshadowed every major decision in the Middle East and seriously threatened the peace of the world.

During the general debate in the Special Political Committee, the representatives of the Arab States strongly urged the implementation of resolution 194

(III) which had stated the principle of repatriation with compensation for those who did not wish to return to their homes. They also called for the enlargement and reactivation of the United Nations Conciliation Commission for Palestine, and the appointment of a United Nations Administrator to look after the properties of the refugees and collect the revenue. The representative of Saudi Arabia suggested the addition of six nations to the present membership of the Commission (France, Turkey and the United States). Three of the new members would represent the Eastern bloc, including the Soviet Union, and the remaining three would represent the uncommitted nations, one each from Asia, Africa and Latin America. He stated that the Commission, with such an expanded membership, would represent all shades of opinion in the United Nations.

The representative of Israel said that the process of absorption of the refugees in the neighbouring countries, which was already going on, pointed the way to a permanent general solution. He stated that paragraph 11 of resolution 194 (III) did not recognize an unqualified "right to return" for the refugees and that the text of the resolution did not even use that phrase. The General Assembly had no competence to confer "rights" on any individual to enter the territory of any sovereign State, and, in any case, its resolutions were only recommendations. He reaffirmed the previous declaration of his Government, that if integration of the refugees in the Arab world were actually carried out, and if the international assistance offered in 1955 were still available, Israel would be prepared to pay compensation even before the achievement of a final peace settlement or the solution of other outstanding problems.

During the discussions a number of representatives noted with satisfaction the constructive work of the Conciliation Commission in connexion with the identification and valuation of Arab properties in Israel. Some endorsed the suggestions made by the Arab States to enlarge the Conciliation Commission and to appoint a United Nations Administrator. Others expressed the hope that the Commission would reach positive conclusions regarding measures which would give effect to the many resolutions that had been adopted by the General Assembly.

The representative of the United States regretted that, since the Assembly's fourteenth session, the parties directly concerned had not shown that they were ready to approach the problem with the flexibility needed to solve it in accordance with the principles often confirmed by the General Assembly. He urged the Member States to continue their support of UNRWA in its constructive approach outlined in the Director's latest report, and the Conciliation Commission to continue its efforts for a solution of the refugee problem. Other representatives also urged the States directly concerned to approach the problem in a conciliatory spirit and seek new ways of reaching agreement.

A number of representatives stated that Israel, by having refused to implement the General Assembly resolutions, had undermined the authority of the United Nations concerning the Palestine refugee problem. They called on Israel to allow the return of refugees to their homes and to compensate those who did not wish to return.

The representative of Ireland, supported by the representative of New Zealand, repeated the proposal which his delegation had made at the fourteenth session of the General Assembly, that Israel should be urged to allow the return of a limited number of refugees who were willing to live at peace with their neighbours, without prejudice to the general solution of the refugee problem or to other aspects of the Palestine problem. He further suggested that the Conciliation Commission be enlarged mainly by the addition of small States outside the military alliances.

On 11 April 1961, when the Committee resumed its consideration of the item, the representative of Indonesia introduced a joint draft resolution sponsored by Afghanistan, the Federation of Malaya, Indonesia, Pakistan and Somalia. According to this draft resolution the General Assembly, *inter alia,* after noting with deep regret that repatriation or compensation of the refugees as provided for in paragraph 11 of General Assembly resolution 194 (III) had not been effected and that, therefore, the situation of the refugees continued to be a matter of serious concern, and recognizing the need to safeguard the property rights of the Arab refugees of Palestine, would: (1) note with regret that the Conciliation Commission had not yet reported progress on carrying out the task entrusted to it in paragraph 4 of General Assembly resolution 1456 (XIV), and again request the Commission to make efforts to secure the implementation of paragraph 11 of General Assembly resolution 194 (III) and report thereon to the Assembly at its sixteenth session; (2) recommend to the Assembly at its sixteenth session the establishment of appropriate and effective machinery for safeguarding the property rights of the Arab refugees of Palestine; (3) direct attention to the precarious financial position of the Agency and urge Governments to consider to what extent they could contribute or increase their contributions so that the Agency could carry out its programmes; and (4) express its thanks to the Director and the staff of the Agency for their continued faithful efforts to carry out the mandate of the Agency, and to the specialized agencies and the many private organizations for their valuable and continuing work in assisting the refugees.

On 12 April, the United States submitted four amendments to the five-Power draft resolution, the second and fourth of which would eliminate references to the property rights of the Arab refugees of Palestine. On the same day, Iraq and Libya submitted sub-amendments to the United States amendments which would have restored those references.

On 17 April, the United States withdrew its four amendments and submitted a new draft resolution, under which the Assembly would, *inter alia*: (1) note the annual report of the Director of UNRWA and commend to the particular attention of Governments his programme of vocational training; (2) note further that in accordance with paragraph 1 of General Assembly resolution 1456 (XIV) the mandate of UNRWA was to be reviewed at the sixteenth session of the General Assembly; (3) express the belief that, in the consideration of this item at the sixteenth session, careful consideration should be given to the future welfare of the refugees themselves, including the safeguarding of their rights set forth in resolution 194 (III) paragraph 11, to repatriation or compensation for properties left behind.

At the same meeting, the representative of Iraq withdrew the Iraqi-Libyan sub-amendments to the

United States amendment, and submitted an oral amendment to operative paragraph 2 of the five-Power draft resolution, according to which that paragraph would recommended to the General Assembly that at its sixteenth session primary consideration be given to the future welfare of the refugees themselves, including the means of safeguarding their property rights.

The representative of Pakistan, on behalf of the co-sponsors of the joint draft resolution, accepted the Iraqi oral amendment and also those amendments, the first and the third, submitted by the United States which did not refer to property rights. All these were incorporated in a revised text of the five-Power draft resolution.

On 18 April, the representative of the United States submitted a revised text of his delegation's draft resolution wherein, *inter alia,* the words "to repatriation or compensation for properties left behind" in the final paragraph were deleted.

On the same day, the Committee voted on the revised five-Power and the revised United States draft resolutions. After adopting by roll-call votes the fourth preambular paragraph and operative paragraph 2, the Committee adopted the five-Power revised draft resolution as a whole by a roll-call vote of 47 to 19, with 20 abstentions.

The Committee rejected the revised United States draft resolution by a roll-call vote of 31 to 30, with 15 abstentions.

At a plenary meeting on 21 April, the General Assembly voted on the draft resolution recommended by the Special Political Committee. The fourth paragraph of the preamble, which would recognize "the need to safeguard the property rights of the Arab refugees of Palestine", was not adopted as it did not obtain the required two-thirds majority. The vote by roll-call was 44 in favour, 38 against, and 12 abstentions.

The second operative paragraph, by which the Assembly would at its sixteenth session give primary consideration "to the future welfare of the refugees themselves, including the means of safeguarding their property rights", was also not adopted as it did not obtain the required two-thirds majority; the vote by roll-call was 44 in favour, 35 against, and 15 abstentions. The draft resolution as a whole, as amended, was then adopted by a roll-call vote of 37 to 17, with 38 abstentions (resolution 1604 (XV)).

(*c*) ACTIVITIES OF THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

Operations

The United Nations Relief and Works Agency has concentrated on carrying forward the three-year programme outlined in the Director's annual report to the Assembly at its fifteenth session. The programme was based on a resolution passed by the Assembly at its fourteenth session requesting an expansion of vocational training and related activities. With the aid of funds made available as a result of World Refugee Year, UNRWA has vigorously pursued its programme for the construction and operation of vocational training centres in each of the host countries. By 1963, when all the establishments whose construction or expansion is envisaged in the present programme are in full operation, the annual output of trainees will be in excess of 2,000 (this figure includes teacher trainees and both men and women). On the other hand, it did not prove possible, owing to lack of funds received during the year, to progress far with self-support projects outside the sphere of vocational training; limited funds were, however, made available from World Refugee Year for this purpose and will be devoted to housing and other types of projects aimed at assisting refugees to become productive and independent.

UNRWA's regular educational programme was fully maintained in the school year 1960-1961: 131,475 pupils received education in 391 UNRWA elementary and preparatory schools, while a further 53,970 pupils were assisted by UNRWA to attend other schools. Efforts to improve teaching standards were increased.

The total number of refugees registered with UNRWA increased during the twelve months ending 1 May 1961 by 34,435 to a total of 1,147,155, reflecting the continued excess of births over reported deaths. Of this total, 868,775 refugees were registered for rations. Efforts continued to be made by UNRWA, in co-operation with the host Governments, to eliminate false registrations and generally to ensure that only those entitled to relief received it, and some initial progress was made towards this end, particularly in Jordan. The number of refugees living in camps again rose during the year by about 24,000, owing to natural increase and new admissions, to a total on 1 May 1961 of 440,411, i.e. rather more than one third of the registered population. To help meet this situation, a shelter construction and maintenance programme was carried out at a cost approaching $500,000.

The composition of the basic food ration remained unchanged, and approximately the same numbers of persons in the more vulnerable groups—pregnant women, children, tuberculosis patients, etc.—continued to benefit from supplementary feeding. The health and nutritional condition of the refugees was satisfactorily maintained, and no major epidemics occurred. Severe drought necessitated special measures to ensure the adequacy of water supplies in certain areas.

In accordance with the General Assembly's request, UNRWA continued to seek a better understanding of its status as a subsidiary organ of the United Nations by all levels of governmental units dealing with it and no serious major problems arose which stemmed from a lack of this recognition and understanding. A judgement of a court in the Southern Region of the United Arab Republic upheld UNRWA's immunity from jurisdiction, and in Jordan an outstanding question concerning exemption from income tax was settled. Further progress, varying in each area of operations, was made in the settlement of outstanding claims between UNWRA and the host Governments which, it is hoped, will be maintained. Co-operation with the host Governments in matters of day-to-day operation, on the basis of a common interest in the welfare of the refugees, continued and improved.

Financial situation

During 1960, UNRWA expended or committed some $34.7 million (exclusive of expenditure against 1959 budget any provisions carried forward to 1960 and funded from last year's income, and also excluding World Refugee Year funds), against pledges from contributing Governments of $32.4 million and other income totalling $1.6 million. Income therefore again failed to match budgetary requirements and it was again necessary to meet the deficit from working capital.

For 1961, UNRWA expects to expend or commit (exclusive of World Refugee Year funds and exclusive of budgetary provisions, carried forward from 1960) a total of $36.7 million, against income estimated at about $34 million. The deficit in income will again have to be met from working capital. Since income is fairly stable, whereas operational costs rise each year, UNRWA's financial situation is steadily deteriorating.

From World Refugee Year sources, UNRWA received in 1960-1961, or expected to receive by the end of 1961, some $4 million which were devoted mainly to the expansion of vocational training facilities. To operate these new facilities, the Agency will hereafter need an increased annual contribution of some $1.6 million, in addition to any amount required to meet unavoidable annual increases in the cost of its existing relief and education programmes.

Personnel

On 31 December 1961, UNRWA employed 11,016 area staff and 146 international staff; the latter figure includes seconded and loaned personnel. The increase of approximately 1,000 in the number of area staff reported as compared with a year ago is accounted for by the addition of about 500 teachers and by the inclusion of about 500 "daily paid workers", formerly not included in the total.

15. The question of Algeria

In a letter dated 20 July 1960, Afghanistan, Burma, Ceylon, Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, the Philippines, Saudi Arabia, the Sudan, Tunisia, the United Arab Republic and Yemen requested the inclusion in the agenda of the fifteenth session of the General Assembly of the item entitled "Question of Algeria". In an accompanying explanatory memorandum, they stated that the failure of the General Assembly to adopt a resolution at its fourteenth session urging the holding of *pourparlers* with a view to arriving at a peaceful solution of the Algerian question, on the basis of the right to self-determination in accordance with the principles of the Charter, had left the Algerian situation where it was. In an addendum to the memorandum submitted on 14 September 1960 they stated further that recent events had then dispelled the prospect of *pourparlers* between the two parties. The Algerian situation posed a real threat to international peace and security and, for that reason, they wished to stress the responsibility of the United Nations to contribute in every possible way to the attainment of a solution which would realize the aspirations of the Algerian people.

On 22 September, the General Committee decided to recommend inclusion of the item in the Assembly's agenda. At that meeting, the representative of France questioned the competence of the United Nations to discuss the matter and declared that his delegation would not participate in its discussion.

On 10 October, the Assembly decided to include the item in its agenda and, on 13 October, referred it to the First Committee which considered the item at thirteen meetings held between 5 and 15 December 1960.

The representative of Tunisia stressed that the essential fact of the Algerian question was that for six years a veritable war had been in progress which had taken a heavy toll of lives on both sides and which had shown no signs of being brought to an end. Repressive measures, including internment and resettlement of large numbers of Algerians, had evoked protests even from Frenchmen themselves. The condition of 250,000 Algerian refugees in Tunisia and Morocco gave cause for concern. With its impact on neighbouring countries such as Tunisia, which had suffered frontier violations and bombardment by French troops, the Algerian war constituted a grave threat to international peace and security.

The Algerian question put to the test the principles of the Charter. The United Nations could no longer confine itself to expressions of hope and desire for a solution negotiated on the principle of self-determination. Both parties now accepted the principle of self-determination; the only dispute outstanding related to the creation of conditions for the full and genuine expression of the will of the Algerian people in a referendum. Since the failure of the Melun talks had demonstrated France's reluctance to implement the principle of self-determination, there remained only the United Nations to guarantee the authenticity of an Algerian referendum.

On 9 December, Afghanistan, Burma, Ethiopia, Ghana, Guinea, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Morocco, Nigeria, Pakistan, Saudi Arabia, Somalia, the Sudan, Tunisia, the United Arab Republic and Yemen submitted a draft resolution. Under its operative part, the General Assembly would: (1) recognize the right of the Algerian people to self-determination and independence; (2) recognize the imperative need for adequate and effective guarantees to ensure the successful and just implementation of the right of self-determination on the basis of respect for the unity and territorial integrity of Algeria; (3) recognize further that the United Nations has a responsibility to contribute towards its successful and just implementation; (4) decide that a referendum should be conducted in Algeria, organized, controlled and supervised by the United Nations whereby the Algerian people would freely determine the destiny of their entire country.

The sponsors of the draft resolution and other representatives, including those of the USSR, Austria, Cuba, Cyprus, Czechoslovakia, Yugoslavia, Venezuela and Togo, stressed the need for an urgent end of the Algerian war in justice and equity. They stated that the referendum in Algeria must be conducted under completely impartial auspices.

The representative of Senegal stated that, although the United Nations must help to overcome the difficulties still outstanding between the parties, it should not impose a solution or even lay down a procedure; its role should be to create the necessary atmosphere for resumption of negotiations between the French and the Algerians.

Other representatives, including those of the United Kingdom, Canada, New Zealand, Peru and Gabon, objected to the draft resolution on the grounds that it attempted to impose a referendum on a sovereign State and that its adoption would encourage extremists on both sides to persist in their present course and make a solution more difficult.

A number of representatives, including those of Colombia, Argentina, Ecuador and Uruguay, stated that operative paragraph 4 of the draft resolution went beyond the powers of the General Assembly as it could not impose any conditions on a Member State.

Other representatives, including those of Sweden, Norway and Ireland, stated that the referendum in Algeria must be held under conditions ensuring its democratic character and impartiality and, therefore, if it were held under the United Nations auspices, its validity would be beyond doubt. Paragraph 4 of the draft resolution should, however, reflect political realities. The United Nations could only make recommendations.

On 15 December, the First Committee adopted the twenty-four Power draft resolution by a roll-call vote of 47 to 20, with 28 abstentions.

On 19 December, during the discussion of the report of the First Committee by the General Assembly, Cyprus submitted an amendment whereby the Assembly would recommend (rather than decide) that a referendum be held in Algeria under the United Nations auspices (rather than be organized by the United Nations) in which the Algerian people should freely determine the destiny of their country. Cameroun, the Central African Republic, Chad, Congo (Brazzaville), Dahomey, Gabon, Ivory Coast, Madagascar, Niger, Senegal and Upper Volta submitted another amendment, to substitute for operative paragraph 4 of the draft resolution two new paragraphs which would: (1) invite the parties concerned to enter immediately into negotiations, without any preliminary conditions, on the question of a cease-fire and the organization of a referendum, including mutual guarantees for the parties as well as international guarantees; and (2) recommend with a view to facilitating contacts and the progress of the negotiations, the establishment of a special international commission, the composition and members of which would be determined in agreement with the parties involved in the conflict.

The eleven-Power amendment was rejected, the first paragraph by a roll-call vote of 39 to 31, with 25 abstentions, and the second by a roll-call vote of 39 to 22, with 35 abstentions. The amendment by Cyprus received 52 votes in favour, 27 against and 17 abstentions. It was not adopted, having failed to obtain the required two-thirds majority. The Assembly then proceeded to vote on the draft resolution as recommended by the First Committee. Operative paragraph 4 was voted upon separately, receiving 40 votes in favour, 40 against, with 16 abstentions, and was not adopted. The draft resolution, as amended, was then adopted by a roll-call vote of 63 to 8, with 27 abstentions (resolution 1573 (XV)).

16. The problem of Mauritania

On 20 August 1960, Morocco requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "The problem of Mauritania"; on 14 September, it transmitted an addition to the explanatory memorandum accompanying the request. In the memorandum it was stated that Morocco regarded Mauritania as having always been an integral part of its national territory and that, in spite of its protests, France had taken a number of steps calculated to impair Moroccan sovereignty in respect of that part of its national territory. Since negotiations had not succeeded, Morocco had no alternative but to submit the question of Mauritania to the United Nations in order to find a peaceful solution within the framework of the United Nations Charter.

On 10 October, the General Assembly decided to include the item in its agenda and, on 13 October, referred it to the First Committee, which examined it at eight meetings held between 15 and 26 November. The representative of Morocco had urged that the discussions on the item be held prior to the proclamation of Mauritanian independence on 28 November.

The representative of Morocco stated that the question of Mauritania was a typically colonial one in which a basic principle of the Charter, relating to respect for the territorial integrity of Member States, was being violated. Morocco's sovereignty over its southern regions had been provided by international conventions and agreements. Since its independence, Morocco had constantly demanded the return of the southern part of its territory and had also expressed its reservations in respect of French intentions regarding the future of that territory. In 1956, Morocco and France had agreed that a mixed commission should consider that problem. But, even before the commission could meet, France had taken measures modifying the existing territorial, political and administrative setup with regard to that territory and had made commitments affecting its future. Morocco could not agree to such dismemberment of its national territory. Moreover, the independence which was being granted to Mauritania was of a questionable nature involving economic and military dependence on France.

The representative of France stated that his country was in no way a party to the present dispute; France was merely asking that the independence of Mauritania be acknowledged. In so doing, France was taking into consideration that the feelings of the people of Mauritania and their frequently expressed desire was for an independent and free Mauritania. Such links as had existed between Morocco and Mauritania had been tenuous indeed and no case could be built on the basis of those links. France deplored the attempt which was being made to pick a quarrel with a young African State which was to celebrate its independence in a few days and hoped that the Mauritanian nation would be allowed to attain its independence in peace and shape its destinies as it wished.

On 25 November, a draft resolution was submitted by Indonesia, Jordan and Libya, whereby the General Assembly would: (1) refer to the 1956 agreement between France and Morocco to form a Franco-Moroccan commission to settle Moroccan frontier questions; (2) reaffirm the principle of respect for the unity and territorial integrity of Member States; and (3) recommend that France and Morocco enter into negotiations with a view to reaching a peaceful solution of the problem in accordance with the purposes and principles of the Charter.

On 26 November, Afghanistan, after withdrawing earlier amendments—which would have replaced the words "France and Morocco" by "the parties concerned" in the paragraph calling for negotiations, and would have added a paragraph calling upon the parties concerned to respect the right of the people of Mauritania to self-determination ascertained by a referendum under United Nations auspices—submitted new amendments which were accepted by the sponsors and incorporated into a revised draft resolution. According to this revised text, the General Assembly, having examined the question of Mauritania, would reaffirm the principle of respect for the unity and territorial integrity of Member States and would recommend that the parties concerned enter into negotiations with a view to reaching a peaceful solution of the problem on the basis of the right of self-determination.

During the discussions, the sponsors of the draft resolution as well as other representatives, including those of Saudi Arabia, Lebanon, Iraq, the Sudan, Cuba, Guinea and the United Arab Republic stated that the question amounted to a partitioning of Morocco and was not in fact the question of independence of Mauritania. It was not correct to say that the people of Mauritania had already exercised their right of self-determination as they had never been offered the alternative choice of uniting with Morocco. If the people of Mauritania, through a referendum under United Nations supervision, had declared their wishes on that question, then alone the result could be considered valid.

A number of representatives, including those of Senegal, Dahomey, Madagascar, Gabon, Niger and Chad, appealed to Morocco to withdraw its claim and welcome the independence of Mauritania. While they realized that the independence of African States had been established on the basis of existing frontiers, arbitrarily drawn up by the colonial Powers and not always coinciding with ethnic and linguistic divisions, still those frontiers had to be respected. They felt that the Mauritanian controversy, if pursued, might set up a dangerous precedent. On the other hand, an independent Mauritania could forge strong ties with Morocco if it wished or even ask to unite with it.

India submitted an amendment proposing that the second operative paragraph of the revised draft resolution be replaced by a text whereby the General Assembly would express the hope that the parties concerned would reach a peaceful solution of the problem on the basis of the right of self-determination. Later, India withdrew its amendment but it was reintroduced by the representative of Iraq. The Iraqi amendment was rejected by a roll-call vote of 39 to 31, with 25 abstentions.

Upon a motion by India, and agreed to by the sponsors, the revised draft resolution was not put to the vote. The First Committee, therefore, submitted no recommendation to the General Assembly on this item.

On 18 December, the General Assembly took note of the First Committee's report on "the problem of Mauritania".

17 The question of Oman

On 29 September 1960, Iraq, Jordan, Lebanon, Libya, Morocco, Saudi Arabia, the Sudan, Tunisia, the United Arab Republic and Yemen requested that the "Question of Oman" be placed as an additional item on the agenda of the fifteenth session. An attached memorandum stated that the Imamate of Oman, the hinterland of "what is erroneously called the Sultanate of Muscat and Oman", had been invaded by British-led forces and its capital occupied in December 1955. The conflict was said to have arisen from the refusal of the Imams to grant oil concessions to British companies in their territory. The British aggression against the independence of Oman had been brought to the attention of the Security Council on 13 August 1957, but the Council had failed to deal with the problem. Since then British intervention had continued unabated. That aggression, the memorandum concluded, threatened peace and security in the Middle East and constituted a breach of the Charter of the United Nations and the rules of international law.

On 27 October, the General Committee recommended inclusion of the item in the agenda by 14 votes to 2, with 4 abstentions. On 31 October, the General Assembly placed on its agenda this item which the Special Political Committee considered at five meetings held between 9 and 21 April 1961.

The representative of Saudi Arabia stated that the ancient, independent and sovereign State of Oman, a target for British imperialism since the eighteenth century because of its strategic position, had finally been broken up into nine separate units. Until 1954 the British had been content to control the puppet Sultanate of Muscat and the seven so-called Trucial Sheikdoms, while the Imamate of Oman had continued fully independent and sovereign. British-led forces had launched armed aggression in 1954, occupied the capital of Oman in December 1955 and the Imam, its Head of State, had been driven out. The offensive in central Oman in 1957 had brought the question before the Security Council which had failed to deal with it.

The British military intervention, he continued, was in flagrant violation of the United Nations Charter and the basic principles of international law. The United Kingdom argument that Oman was but a part of the Sultanate of Oman and Muscat was absurd; Muscat was in fact merely the principal port of Oman. The statehood of Oman was amply borne out by the Sib agreement of 1920, a peace treaty concluded to end a war between the Imamate and the Sultanate. Moreover, the Sultanate of Muscat, a British protectorate, had never exercised any authority over Oman. The British claim that military action had been taken at the request of their friend, the Sultan, in order to restore order in the face of a revolt supported from outside was an outrageous plea.

The Saudi Arabian representative stated that the Arab States were anxious to settle the dispute by peaceful means and attributed the breakdown in February 1961 of negotiations initiated in 1959 between representatives of Oman and the United Kingdom to the latter's refusal to recognize the independence and sovereignty of Oman.

Complementary speeches by sponsors of the item and other representatives emphasized in particular that the question was a case of colonialist aggression by a Great Power against a small nation motivated by British oil interests in Oman and that the United Nations must put an end to the intolerable situation.

The representative of the United Kingdom, rejecting the contentions advanced, declared that there had never been a separate State under an Imam of Oman independent of and separate from the Sultanate of Oman and Muscat. The Sib agreement of 1920 had been a purely internal arrangement between the Sultan and certain of his tribal leaders and was in no way an international instrument. The cause of the trouble in 1954, he continued, was not the United Kingdom's desire for oil but conspiracy and treason by the newly elected Imam, whose objective was the establishment of a new State in part of the Sultan's dominions. When an "Oman Liberation Army", trained in Saudi Arabia, had seized an area of central Oman, the United Kingdom had granted the Sultan's request for aid because the rebellion was supported from abroad in breach of various General Assembly resolutions. Oman was now at peace although individual terrorists were occasionally sent from abroad to provoke incidents. There were now no British combatant units permanently stationed in the Sultanate nor any British bases there, although a small number of British personnel were seconded to the Sultan's Army and Air Force.

Referring to the negotiations mentioned by the representative of Saudi Arabia, the representative of the United Kingdom stated that his Government continued to hope for a settlement and that its good offices would always be available.

On 21 April, the sponsors of the item together with Afghanistan, Guinea, Indonesia and Yugoslavia submitted a joint draft resolution under which the General Assembly, recalling its resolution 1514 (XV), would: (1) recognize the right of the people of Oman to self-determination and independence; (2) call for the withdrawal of foreign forces from Oman; and (3) invite the parties concerned to settle peacefully their differences with a view to restore normal conditions in Oman.

On the same day, at the suggestion of the representative of India, the Special Political Committee unanimously decided to recommend to the General Assembly because of the shortness of time available that further consideration of the item be deferred until the sixteenth session. At its final meeting that day the Assembly accepted the recommendation.

18. Question submitted to the Security Council on 25 March 1960 by representatives of twenty-nine African and Asian States relating to South Africa

On 1 April 1960, the Security Council, after its considerations of this question, adopted a resolution which, in its operative paragraph 5, requested the Secretary-General, in consultation with the Union Government, to make such arrangements as would adequately help in upholding the purposes and principles of the Charter and to report to the Security Council whenever necessary and appropriate. As stated in last year's annual report, the Secretary-General submitted his first interim report on 19 April 1960.

On 11 October, he submitted a second interim report in which, after referring to the preliminary discussions in India on 13 and 14 May 1960 at which agreement was reached on the character and course of further consultations, he stated that, as a result of the mandate given to him by the Security Council in connexion with the United Nations operation in the Republic of the Congo (Leopoldville), he had been unable to visit the Union of South Africa as envisaged in his first interim report. A new invitation had been extended to him by the Prime Minister of the Union Government to visit the Union early in January 1961. He hoped to explore at that time the possibility of arrangements which would provide for appropriate safeguards of human rights with adequate contact with the United Nations.

In a third report issued on 23 January 1961, the Secretary-General informed the Security Council that he had visited the Union of South Africa between 6 and 12 January, and had had consultations with the Prime Minister of the Union at six meetings on 6, 7, 10 and 11 January. In Cape Town, Umtata (Transkei), Johannesburg and Pretoria, he had had opportunities for unofficial contacts with members of various sections of the South African community. Having regard to paragraph 5 of the Council's resolution of 1 April 1960, he wished to state that during his discussions with the Prime Minister of the Union of South Africa so far no mutually acceptable arrangement had been found. The Secretary-General added that, in his view, that lack of agreement was not conclusive, and he wished to give the matter further consideration. The exchange of views in general had served a most useful purpose. The Prime Minister of the Union had indicated that further consideration would be given to questions raised in the course of the talks and had stated that "the Union Government, having found the talks with the Secretary-General useful and constructive, have decided to invite him at an appropriate time, or times, to visit the Union again in order that the present contact may be continued".

19. The question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa.

On 21 July 1960, Afghanistan, Brazil, Burma, Cambodia, Ceylon, Cuba, Denmark, Ethiopia, the Federation of Malaya, Ghana, Guinea, Haiti, India, Indonesia, Iran, Iraq, Ireland, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Morocco, Nepal, Norway, Pakistan, Panama, the Philippines, Saudi Arabia, the Sudan, Sweden, Thailand, Tunisia, the United Arab Republic, Uruguay, Venezuela, Yemen and Yugoslavia requested that the item: "Question of race conflict in South Africa resulting from the policies of *apartheid* of the Government of the Union of South Africa" be included in the agenda of the fifteenth session of the General Assembly. El Salvador and Iceland subsequently associated themselves with this request. An explanatory memorandum accompanying the request referred to the adoption by an overwhelming majority of resolution 1375 (XIV) at the fourteenth session of the Assembly and to the fact that the Assembly's solemn appeal to Member States to bring their policies into conformity with their obligations under the Charter to promote the observance of human rights and fundamental freedoms, contained in that resolution, had failed to bring about any reconsideration by the Union Government of its racial policies. On the contrary, additional discriminatory measures had been put into effect and the system of *apartheid* had been progressively intensified and extended, culminating in acts of violent repression directed against the rights and interests of the overwhelming majority of the Union's population and leading to mounting tension and bitterness between the various racial groups in the Union. In the circumstances, it was the responsibility of the General Assembly, and would undoubtedly be its wish, to address itself once again to the question with a view to making appropriate recommendations designed to secure adherence to the provisions of the Charter as well as the Universal Declaration of Human Rights.

On 10 October 1960, the Assembly, over the objections of the representative of the Union of South Africa who reiterated his Government's stand that inclusion of the item contravened the terms of Article 2, paragraph 7, of the Charter, decided to include the item in its agenda and, on 13 October, referred it to the Special Political Committee. The Committee considered the question at fourteen meetings held between 24 March and 10 April 1961.

Although the Union of South Africa did not participate in the discussion of this item, its Minister of External Affairs stated in the course of the general debate, on 14 October, that the countries requesting the inscription of the item had based that request on the contention that South Africa was contravening the terms of Article 55 of the Charter. In his view, South Africa had a much better record in regard to observance of Article 55 than the majority of those countries.

During the debate in the Special Political Committee, most speakers condemned the *apartheid* policies of the Union Government and stressed the Assembly's competence to discuss them.

Some representatives stated that South Africa's growing isolation reflected the nature of *apartheid* itself for if racial discrimination existed in many countries, those in authority were doing their utmost to eradicate it, but in South Africa the notion of racial superiority was the foundation for the whole structure and philosophy of government policy and action.

Others stated that the time had come for the United Nations to take collective and resolute action to obtain compliance with its resolution and its principles. For almost nine years now, the Assembly had appealed to the Union of South Africa to reconsider its *apartheid* policy. Not only had the Union Government ignored those appeals, it had in fact intensified its persecution of the indigenous people of the Union. It was, therefore, pointless to repeat rather mild appeals; the time had come for the Assembly to take some positive steps. Since all delegations were agreed on the pernicious nature of *apartheid,* they must decide on more resolute and concerted measures for its eradication. It was suggested that the Commission on the Racial Situation in South Africa might be reactivated. The Assembly could decide after a report of that Commission whether the time was ripe for sanctions.

The representative of the United Kingdom stated that *apartheid* was unique in that it involved the deliberate adoption, retention and development of policies based entirely on racial discrimination. Moreover, those policies were directed against the permanent inhabitants of the territory concerned. The problem had caused serious repercussions not only in Africa, but also in other continents. Thus, while the importance attached to Article 2, paragraph 7, by the United Kingdom remained undiminished, it regarded *apartheid* as being now so exceptional as to be *sui generis* and his delegation felt able to consider proposals on the question on the merits.

On 3 April 1961, Ceylon, the Federation of Malaya and India, later joined by Afghanistan and Indonesia, submitted a draft resolution whereby the Assembly would: (1) deplore the continued and total disregard by the Union Government of the repeated requests and demands of the United Nations and world opinion that it reconsider its racial policies, and furthermore its determined aggravation of racial issues by more discriminatory laws and measures and their enforcement, accompanied by violence and bloodshed; (2) deprecate policies based on racial discrimination as reprehensible and repugnant to human dignity; (3) request all States to consider taking such separate and collective action as was open to them to bring about the abandonment of these policies; (4) affirm that the racial policies being pursued by the Government of the Union of South Africa were a flagrant violation of the Charter of the United Nations and the Universal Declaration of Human Rights and inconsistent with the obligations of a Member State; (5) note with grave concern that these policies had led to international friction and that their continuance endangered international peace and security; (6) remind the Government of the Union of South Africa of the requirement of Article 2, paragraph 2, of the Charter that all Members shall fulfil in good faith the obligations assumed by them under the Charter; (7) call upon the Government of the Union of South Africa once again to bring its policies into conformity with its obligations under the Charter.

Also on 3 April, Cameroun, the Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, Ivory Coast, Liberia, Libya, Madagascar, Mali, Morocco, Niger, Nigeria, Senegal, Somalia, the Sudan, Tunisia, Upper Volta and the United Arab Republic, later joined by Cuba and Indonesia, submitted a draft resolution whereby the Assembly would: (1) deplore the continued disregard by the Government of the Union of South Africa of the resolutions of the Assembly and its application of further discriminatory laws and measures the enforcement of which had led to violence and bloodshed; (2) deprecate policies based on racial discrimination as being reprehensible and repugnant to the dignity and rights of peoples and individuals, and consider it to be the responsibility of all Member States to take separate and collective action to bring about the elimination of these policies; (3) affirm that the racial policies being pursued by the Government of the Union of South Africa and the laws and measures taken to implement them were inconsistent with the Charter and the Universal Declaration of Human Rights and incompatible with membership of the United Nations; (4) note with grave concern that those policies had led to international friction and that the unflinching stand of the South African Government by these policies endangered international peace and security; (5) solemnly recommend to all States to consider (*a*) breaking diplomatic relations with the Union Government, or refraining from establishing such relations, (*b*) closing the ports of each State to all vessels flying the South African flag, (*c*) enacting legislation prohibiting the ships of each State from entering South African ports, (*d*) boycotting all South African goods and refraining from exporting goods to South Africa, and (*e*) refusing landing and passage facilities to all aircraft belonging to the Government and companies registered under the laws of the Union of South Africa; (6) draw the attention of the Security Council to these recommendations in accordance with Article 11, paragraph 2, of the Charter.

On 10 April, the Special Political Committee adopted both draft resolutions, the five-Power draft resolution by a roll-call vote of 93 to 1 and the twenty-six-Power draft resolution by a roll-call vote of 47 to 29, with 18 abstentions.

During the discussion in the plenary on 13 April, the representative of the Union of South Africa stated that the draft resolutions adopted by the Special Political Committee constituted a clear breach of Article 2, paragraph 7, of the Charter and that they sought to persuade Member States to take separate and collective action for intervention in the Union's affairs. These resolutions also went much further than had the Assembly in previous years. He was, therefore, putting on record his Government's objection to them. On the same day, the two draft resolutions recommended by the Special Political Committee were put to the vote. A separate vote was taken on paragraph 5 of the former twenty-six Power draft resolution relating to measures to be taken against South Africa. This paragraph received 42 votes in favour, 34 against and 21 abstentions, and was not adopted having failed to receive the required two-thirds majority. At the request of the original sponsors of the draft resolution the remainder of the draft resolution was not put to the vote. The five-Power draft resolution was then adopted by a roll-call vote of 95 to 1 (resolution 1598 (XV)).

20. Treatment of people of Indian and Indo-Pakistan origin in the Union of South Africa

On 20 July 1960, India and Pakistan asked separately that the question of the treatment of people of Indian origin be included in the agenda of the fifteenth session of the General Assembly.

In an explanatory memorandum, India recalled that on 10 December 1959 the General Assembly, by its resolution 1460 (XIV), had appealed to the Union Government to enter into negotiations with India and Pakistan and had invited the parties to report to the Assembly. Member States were also invited to use their good offices as appropriate to bring about those negotiations. India had accordingly sent appropriate communications to the Union Government expressing its desire to enter into and pursue negotiations without prejudice to the position adopted by any of the parties concerned on the issue of "domestic jurisdiction" under Article 2, paragraph 7, of the United Nations Charter. Although receipt of one of India's communications had been formally acknowledged, no steps had been taken by the Union Government to implement the wishes of the Assembly, nor was India aware of any steps taken by any Member State to bring about negotiations.

Pakistan, in an explanatory memorandum, also stated that there had been no response to its request to the Union Government to enter into negotiations. Pakistan was also not aware of any steps taken by Member States to further negotiations and hoped that the Assembly would be able to recommend further measures for a speedy solution of the problem.

On 10 October 1960, the Assembly decided to include the item in its agenda and on 13 October referred it to the Special Political Committee, where it was examined at five meetings held between 21 and 24 March 1961. The Union of South Africa, having stated in the Assembly's General Committee that the United Nations was not competent to discuss the question, did not participate in the subsequent discussion of the item.

The representative of India stated that his Government considered it necessary once again to call the attention of the United Nations to a Government whose policies in defiance of the United Nations Charter and the rules of civilized behaviour affected vast numbers of people and led to bitterness and the potential danger of international friction. In that respect, India was not seeking any special privileges for people of Indian origin in South Africa but was merely asking that they should have the same rights as other South African citizens. India wished for a peaceful solution of the problem in conformity with the United Nations Charter and was always ready to negotiate.

The representative of Pakistan declared that those who maintained that the question under discussion was not included in the terms of the United Nations Charter were merely confessing to the bankruptcy of the Organization in the field of essentially human problems which constituted so large a part of international life. In the present era, equality of men and of races was a primary fact of national and international life, and Pakistan regretted that South Africa preferred to renounce its association with the Commonwealth rather than abate the harshness of its racist policies. In repeating its past appeals to South Africa, the United Nations would be merely expressing the international community's anxiety to see an obligation of supreme importance under the Charter respected.

On 22 March, Afghanistan, Ethiopia, Ghana, Indonesia, Iran, Iraq, Mexico, Nigeria, the Philippines, Saudi Arabia, Tunisia, the United Arab Republic, Venezuela and Yugoslavia submitted a draft resolution whereby the Assembly would: (1) note that India and Pakistan had again reiterated their readiness to enter into negotiations with the Union of South Africa; (2) note with deep regret that the Union Government had not replied to the communications from India and Pakistan and had not shown any disposition to arrive at a solution of the problem in accordance with the purposes and principles of the Charter and the Universal Declaration of Human Rights and the repeated recommendations of the Assembly; (3) draw the attention of the Union Government to the repeated appeals of the Assembly to co-operate to that end; (4) urge the Union Government to enter into negotiations with the Governments of India and Pakistan; (5) invite Member States to use their good offices to bring about the negotiations envisaged by the Assembly; and (6) invite the parties concerned to report to the Assembly regarding any progress which might be made.

The majority of speakers, while regretting the fact that the Union Government had ignored the Assembly's appeals, commended India and Pakistan for their moderate stand and welcomed the constructive intention of the draft resolution. They stated that its adoption was the least the United Nations could do, and invited the friends and allies of South Africa to urge the Union Government to enter into negotiations on the matter.

The draft resolution, after being approved by the Special Political Committee, was adopted by the General Assembly, on 13 April, by 78 votes to none, with 2 abstentions (resolution 1597 (XV)).

21. The situation in Angola

(a) CONSIDERATION BY THE SECURITY COUNCIL

On 20 February 1961, Liberia requested an urgent meeting of the Security Council "to deal with the crisis in Angola". It stated that recent developments in Angola had necessitated immediate action by the Council to prevent further deterioration and abuse of human rights in Angola. On 7 March, Portugal protested against Liberia's request for inscription on the Council's agenda of a matter which it considered to be within its exclusive jurisdiction and consequently a contravention of Article 2, paragraph 7, of the Charter of the United Nations. On 10 March, the representatives of Afghanistan, Burma, Cameroun, the Central African Republic, Chad, Congo (Brazzaville), Congo (Leopoldville), Dahomey, Ethiopia, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Madagascar, Mali, Morocco, Nepal, Niger, Nigeria, Pakistan, Saudi Arabia, Senegal, Somalia, the Sudan, Togo, Tunisia, Upper Volta and Yemen associated themselves with Liberia's request.

On 10 March, the Security Council decided to include Liberia's request in its agenda. The representatives of France and the United Kingdom stated that, while their delegations had not objected to the inscription of the item on the agenda, they were, however, not convinced that events in Angola constituted a situation likely to endanger the maintenance of international peace and security. The representatives of Chile, China, Ecuador and Turkey also expressed doubts whether Article 34, which had been invoked by the representative of Liberia, was applicable to the situation then prevailing in Angola.

The Security Council discussed the question at four meetings held from 10 to 15 March 1961. The representatives of Congo (Brazzaville), Ghana and Portugal took part in the Council's discussions.

After the adoption of the agenda, the representative of Portugal stated that his Government considered the inscription of the item on the agenda of the Council as illegal because under the terms of Article 24, paragraph 2, the Security Council had its competence specifically limited to matters referred to in Chapters VI, VII, VIII and XII of the Charter, none of which could conceivably apply to the present case. The disturbances which had taken place in Luanda were an internal affair with which the Council was precluded by Article 2, paragraph 7, from dealing. They were not unique, and if the Council were to concern itself with those incidents, then it should investigate all other cases of public disorder.

On 14 March, Ceylon, Liberia and the United Arab Republic submitted a draft resolution whereby the Council would, *inter alia*: (1) call upon the Government of Portugal to consider urgently the introduction of measures and reforms in Angola for the purpose of implementing General Assembly resolution 1514 (XV) (containing the declaration on colonialism) and (2) propose the appointment of a sub-committee to examine the statements made before the Security Council concerning Angola, to receive further statements and documents and to conduct such inquiries as it might deem necessary, and to report to the Security Council as soon as possible.

The sponsors of the draft resolution stated that the General Assembly, by its resolution 1542 (XV), had decided that territories under Portuguese administration were in fact non-self-governing within the meaning of Chapter XI of the Charter. The Assembly had therefore emphasized the United Nations concern in the Portuguese territories and had also established its competence to examine conditions in those territories. Moreover, the current situation in Angola had given rise to great concern and anxiety to the international community, especially on the continent of Africa. The Portuguese armed forces were ruthlessly suppressing the struggle for freedom. Article 34 of the Charter conferred indisputable powers on the Council and empowered it to consider and investigate any "situation which might lead to international friction or give rise to a dispute". It was clear that a situation which could endanger world peace need not necessarily be an issue between two Member States.

On 15 March, the draft resolution was put to the vote. It received 5 votes in favour, none against and 6 abstentions, and was therefore not adopted.

(b) CONSIDERATION BY THE GENERAL ASSEMBLY

On 20 March 1961, thirty-nine countries (later joined by a fortieth) requested the inclusion of the item "The situation in Angola" in the agenda of the Assembly's fifteenth session. An explanatory memorandum stated that recent disturbances in Angola involving the death of a large number of people had aroused concern throughout the world. By its resolution 1514 (XV), the General Assembly had declared, *inter alia*, that immediate steps should be taken to transfer all powers to the peoples of dependent territories and that all armed action or repressive measures of all kinds directed against dependent peoples should cease in order to enable them to exercise their right to complete independence. Despite that resolution, the news about Angola pointed to an ever deteriorating situation. If that state of affairs was allowed to continue, it would cause a grave threat to international peace and security.

Inclusion of the question in the agenda was opposed by the representative of Portugal on the grounds that the Security Council had already discussed the matter fully and had decided that it was not a legitimate subject for debate; that its inclusion would violate Article 2, paragraph 7, of the Charter; and that the San Francisco Conference had unanimously agreed that nothing contained in Chapter IX, which contained Articles 55 and 56 relating to fundamental human rights and freedom, could be construed as giving authority to the Organization to intervene in the domestic affairs of Member States.

On 23 March, the General Assembly, acting on the recommendation of the General Committee, decided to include the item in its agenda and to discuss it in plenary meeting. The Assembly discussed it at three plenary meetings held on 20 April 1961.

On 13 April, a joint draft resolution, ultimately sponsored by thirty-six African-Asian States, was introduced. It was identical in terms with that submitted to the Security Council, except that the proposed subcommittee would examine the statements made before the Assembly (rather than the Council) and report to the Assembly.

During the discussions, a number of representatives of countries proposing the item stated that because of the failure of the Security Council to take action on the question of Angola, it had become necessary to refer the matter to the General Assembly. All evidence showed that the situation in Angola had deteriorated since its consideration by the Security Council. It was absolutely necessary that the General Assembly should take immediate measures to bring about a solution of the problem which was fast developing into a major threat to international peace and security. That was the reason, it was stated, that thirty-six African-Asian Member States had submitted a draft resolution which they considered to embody the minimum action that the Assembly could take to halt further deterioration in the Angola situation. The draft resolution was also supported by other representatives including those of China, Czechoslovakia, Italy, Poland, the Ukrainian SSR, the USSR, the United States and Yugoslavia. The representative of Portugal did not participate in the discussions.

The joint draft resolution, revised by the sponsors to provide that the sub-committee would consist of five members to be appointed by the President of the General Assembly, was adopted by the Assembly, on 20 April, by a roll-call vote of 73 to 2, with 9 abstentions (resolution 1603 (XV)).

In pursuance of this resolution, the President of the Assembly nominated, on 22 May 1961, Bolivia, Dahomey, the Federation of Malaya, Finland and the Sudan as members of the Assembly's sub-committee on the situation in Angola.

(*c*) FURTHER CONSIDERATION BY THE SECURITY COUNCIL

On 26 May 1961, Afghanistan, Burma, Cambodia, Cameroun, the Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Ethiopia, the Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mali, Morocco, Nepal, Nigeria, the Philippines, Saudi Arabia, Senegal, Somalia, the Sudan, Tunisia, the United Arab Republic, Upper Volta, Yemen, and Yugoslavia requested that a meeting of the Security Council be called, as a matter of urgency, to consider the situation in Angola. They charged that the massacres in Angola were continuing and human rights were being continually suppressed, and that this together with the armed suppression of the Angolan people and the denial of the right of self-determination in contravention of the United Nations Charter and of the General Assembly resolution on Angola constituted a serious threat to international peace and security. On 2 June, Togo and, on 9 June, Pakistan associated themselves with this request.

In a statement issued on 27 May and transmitted to the Security Council, the USSR drew attention to the situation in Angola and stated that it was the duty of all States and peoples to compel Portugal to end the predatory colonial war in Angola. The Soviet statement also declared that an authoritative inquiry into the situation in Angola must be held immediately with the participation of the African countries.

On 3 June, Portugal protested against the request for inscription on the Council's agenda of a matter which it considered to be within its exclusive jurisdiction. Portugal also requested that its representative be heard in the discussions of the inscription of the proposed item on the Council's agenda.

The question was taken up by the Security Council on 6 June when it was included in the agenda. The representatives of Congo (Brazzaville), Congo (Leopoldville), Ethiopia, Ghana, India, Mali, Morocco, Nigeria and Portugal were invited to participate in the discussion, at their request.

The representative of Portugal, after protesting against the Council's failure to hear him on the request to place the item on the agenda, stated that his Government objected to the inscription of an item relating to a situation pertaining exclusively to the internal jurisdiction and security of Portugal. The Council, in inscribing the item on the agenda, had contravened all relevant articles of the Charter and had undermined its authority. The events in Angola were the result of terrorist action instigated and directed from the outside by agents of international subversion with such violence that military means were forced on Portugal as the only immediate way to deal with the situation. Moreover, the terrorism in Angola and the legitimate action taken by Portugal were entirely matters of internal law and order. The Council, instead of interfering in matters of essentially domestic jurisdiction, should condemn as indirect aggression the encouragement of subversion and the fomenting of civil war by one Member State against another.

Spokesmen in the Council for the forty-four Member States which submitted the request stated that the fact that such a large number of Member States had requested the Council to discuss again the situation in Angola reflected an almost unanimous expression of grief and anxiety about Angola. The situation there had deteriorated further since its consideration by the Security Council and the General Assembly in March and April. The Assembly resolution 1603 (XV) had called upon Portugal to consider urgently the introduction of measures and reforms in Angola. Portugal, instead of implementing that resolution, had stepped up its military repression of the Angolan people. In spite of strict censorship, news of mass killings, arrests and bombardment of villages had reached the outside world. The urgent nature of the situation required prompt action by the Security Council in order to halt the carnage and colonial war that was spreading in the whole of Angola.

There was no doubt that the continuation of the present situation in Angola would further embitter relations among States and increase the threat to international peace and security. Under Article 34 of the Charter, the Council was expressly empowered to deal with situations likely to endanger the maintenance of international peace and security. Moreover, the General Assembly, by its resolution 1514 (XV) of 14 December 1960 adopting a declaration on the granting of independence to colonial territories and peoples, had stipulated its interest in territories like Angola. In fact, the consideration by the Council and the General Assembly and also by other organs of the United Nations of the Angolan situation had well established the United Nations competence to deal with such matters.

On 6 June, Ceylon, Liberia and the United Arab Republic submitted a draft resolution whereby the Security Council, *inter alia*, after deeply deploring the large scale killings and the severely repressive measures in

Angola and being convinced that the continuance of that situation was an actual and potential cause of international friction and threat to international peace and security, would: (1) reaffirm General Assembly resolution 1603 (XV) and call upon Portugal to act in accordance with its terms; (2) request the Sub-Committee appointed under that resolution to implement its mandate without delay; (3) call upon the Portuguese authorities to desist forthwith from repressive measures and further to extend every facility to the Sub-Committee to enable it to perform its task expeditiously; (4) request the Sub-Committee to report to the Security Council and the General Assembly as soon as possible.

On 9 June, Chile submitted amendments to the three-Power draft resolution, proposing to replace the reference in the preamble to a "threat to" international peace and security by the phrase "is likely to endanger the maintenance of" such peace and security, and to insert a new operative paragraph by which the Council would express the hope that a peaceful solution would be found to the problem of Angola in accordance with the Charter. The USSR also proposed an amendment to add the words "condemning the colonial war against the Angolan people", in the beginning of operative paragraph 3 calling on the Portuguese authorities to desist from repressive measures.

On the same day, the Security Council adopted the Chilean amendments by 9 votes to none, with 2 abstentions. The USSR amendment received 4 votes in favour, 3 against and 4 abstentions, and was therefore not adopted. The three-Power draft resolution as amended was adopted by 9 votes to none, with 2 abstentions.

22. Letter dated 15 June 1960 from the representative of Argentina addressed to the President of the Security Council

On 15 June 1960, the representative of Argentina requested the President of the Security Council to call an urgent meeting of the Council to consider "the violation of the sovereign rights of the Argentine Republic resulting from the illicit and clandestine transfer of Adolf Eichmann from Argentine territory to the territory of the State of Israel". In an explanatory memorandum, it was stated that Argentina considered the arrest and transfer of Adolf Eichmann as an illegal act committed to the detriment of its fundamental rights and sovereignty. Since endeavours made to obtain appropriate reparation through normal diplomatic channels had not succeeded, Argentina felt compelled to request that the case be dealt with by the Council under Articles 34 and 35 of the Charter.

On 21 June, Israel stated that the unilateral allegations of Argentina were not sufficient to bring the dispute within the terms of Article 34 of the Charter. Under that Article, the one and only legitimate purpose of an investigation by the Council was to determine whether the continuance of the dispute or situation was likely to endanger the maintenance of international peace and security. Israel was also convinced that the difficulties that had arisen could be settled by direct negotiations and it did not believe that diplomatic representations in that respect had failed.

On 22 June, the Security Council included the item in its agenda without objection and discussed it at four meetings on 22 and 23 June 1960. The representative of Israel was invited to participate in the discussion.

The representative of Argentina maintained that the Eichmann case was an infringement of Argentina's sovereignty and was, therefore, a political rather than a strictly legal dispute within the meaning of Article 36, paragraph 3, of the Charter. The case in point was not the case of Adolf Eichmann or of his crimes, but of a country claiming justice in the face of an act which, if repeated, could undermine the very basis of international order. Argentina also submitted a draft resolution whereby the Security Council would, *inter alia*: (1) declare that acts such as that under its consideration which affected the sovereignty of a Member State endangered international peace and security; and (2) request the Government of Israel to make appropriate reparation in accordance with the Charter of the United Nations and the rules of international law.

The representative of Israel stated that his country had already recognized that the persons who took Eichmann from Argentina to Israel had broken Argentine laws and for that Israel had apologized. Israel considered that its expression of regret constituted adequate reparation.

Members of the Council agreed that Argentina's concern about the violation of its sovereignty was legitimate; they felt however that the whole matter could not be considered apart from the crimes of which Eichmann was charged. Therefore, while supporting the principle of respect for national sovereignty and believing that nothing could justify a breach of that principle, they, nevertheless, emphasized that the Council in its discussion should not ignore the major issue that all war criminals had to be punished.

The United States submitted two amendments to the Argentine draft resolution. The first would add a new preambular paragraph, to the effect that the Council was mindful of the universal condemnation of the persecution of Jews under the Nazi régime and the concern of the people in all countries that Eichmann should be brought to appropriate justice for the crimes of which he was accused. The second amendment was to add a new operative paragraph whereby the Council would express the hope that the traditionally friendly relations between Argentina and Israel would be advanced.

The Argentine draft resolution, as amended, was adopted by 8 votes to none, with 2 abstentions, and one member not participating in the vote. The representatives of Poland and the USSR stated that their abstention in the vote was due to the ambiguity of the resolution with respect to the future of all war criminals like Adolf Eichmann. The resolution could not justify any claim for the return of Eichmann to a country where he had evaded justice for so many years.

23. Letter dated 5 September 1960 from the Deputy Minister for Foreign Affairs of the Union of Soviet Socialist Republics

On 5 September 1960, the Union of Soviet Socialist Republics requested a meeting of the Security Council to consider and endorse a resolution concerning the Dominican Republic adopted at the Sixth Meeting of Consultation of Ministers of Foreign Affairs of the

American Republics held in San José, Costa Rica, from 16 to 21 August 1960.

The resolution (resolution I), which condemned the Government of the Dominican Republic for acts of intervention and aggression against Venezuela and provided, *inter alia,* for collective severance of diplomatic relations and partial interruption of trade with the Dominican Republic, was contained in the Final Act of the Meeting of Consultation transmitted to the Secretary-General on 26 August by the Secretary-General of the OAS, with the request that it be brought to the attention of the Security Council.

The Council considered the Soviet request during three meetings held between 8 and 9 September 1960, in which the representative of Venezuela was invited to participate.

On 7 September, the USSR submitted a draft resolution, later revised on 8 September, whereby the Council, having examined resolution I of the Sixth Meeting of Consultation of the Foreign Ministers of the Organization of American States, and being guided by Article 53 of the Charter, would approve the aforesaid resolution.

On 8 September, Argentina, Ecuador and the United States submitted a draft resolution which provided that the Council, having received the report from the Secretary-General of the OAS transmitting the Final Act of the Sixth Meeting of Consultation of Ministers of Foreign Affairs of the American Republics, would take note of that report and especially of the resolution whereby agreement had been reached on the application of measures regarding the Dominican Republic.

The debate centred on the type of action the Security Council could take with regard to the decision of the OAS. The representatives of the USSR and Poland maintained that the Council had a duty to approve the OAS decision because it had a primary responsibility for the maintenance of international peace and security and because, under Article 53 of the Charter, no enforcement action could be taken by regional agencies or arrangements without the authorization of the Security Council.

In their view, the measures agreed upon in the OAS resolution fell within the meaning of the term "enforcement action" referred to in Article 53.

The representatives of Argentina and the United States disagreed with the Soviet interpretation of Article 53, pointing out that none of the members of the OAS had sought authorization from the Council to implement the resolution and that it had, in fact, been transmitted to the Council in accordance with Article 54 of the Charter. By taking note of the OAS decision, the Council would express its interest and concern in matters affecting peace and security, but would leave the door open for future interpretation of Article 53. Some representatives stressed that the measures agreed upon in the OAS resolution did not involve the use of armed force, which needed authorization by the Council. The majority of the members of the Council, including Venezuela, supported the joint draft resolution as the most appropriate way of dealing with the question at that time.

On 9 September, the Council adopted the joint draft resolution by 9 votes to none, with 2 abstentions.

Subsequent to the discussion of this item, two further communications relating to the implementation of resolution I of the Sixth Meeting of Consultation of Ministers of Foreign Affairs were transmitted to the Security Council, on 6 and 24 January 1961, by the Secretary-General of the Organization of American States.

24. Complaints by Cuba

(*a*) CONSIDERATION BY THE SECURITY COUNCIL

(i) *Letter dated 11 July 1960 from the Minister for Foreign Affairs of Cuba addressed to the President of the Security Council*

On 11 July 1960, Cuba requested an immediate meeting of the Security Council to consider a grave situation endangering international peace and security which had arisen as a result of repeated threats, reprisals and aggressive acts by the United States against Cuba.

On 15 July, the United States transmitted to the Security Council a memorandum which it had submitted to the Inter-American Peace Committee of the Organization of American States in connexion with that Committee's study of tensions in the Caribbean area. The memorandum stated that the Cuban Government had for many months conducted an intense and systematic campaign of slander and hostile propaganda against the Government and people of the United States.

The Council met on 18 July to consider this question, and invited the representative of Cuba to participate in the discussion.

The representative of Cuba maintained that his Government had every right to submit its complaint to the Security Council instead of referring it to the OAS. He charged that the United States was interfering in the internal affairs of Cuba through acts which included: aid to counter-revolutionary elements conspiring against Cuba, violations of Cuba's air space, verbal attacks, diplomatic pressure and acts of economic aggression. The policy of United States intervention in Cuba, he said, had been shrouded in allegations that, under the Revolutionary Government, Cuba was falling under the influence of international communism and represented a threat to the security of the United States and the Western Hemisphere. The purpose of those allegations was to isolate and destroy the Cuban revolution.

The representative of the United States stated that his Government had no aggressive purposes against Cuba. It had taken steps to prevent unauthorized flights in the Caribbean area and to enforce domestic laws concerning traffic in munitions and implements of war which might be used in revolutionary activities. He believed that the proper forum to discuss the matter was the OAS, which already had under consideration the causes of international tensions in the Caribbean area. Moreover, a meeting of Foreign Ministers of the American Republics was scheduled to take place in the near future to consider recent developments that threatened continental solidarity.

At the same meeting, Argentina and Ecuador submitted a draft resolution whereby the Security Council, *inter alia,* taking into account Articles 24, 33, 34, 35, 36, 52 and 103 of the United Nations Charter, and articles 20 and 102 of the Charter of the Organization of American States, deeply concerned by the situation existing between Cuba and the United States, and noting that the situation was under consideration by the OAS, would: (1) decide to adjourn the consideration of the question pending the receipt of a report from the OAS; (2) invite the members of the OAS to lend their assistance towards the achievement of a peaceful solution of the situation in accordance with the purposes and principles of the United Nations Charter; and (3) urge all other States to refrain from any action which might increase the existing tensions between Cuba and the United States. The sponsors of the draft resolution stressed the need for conciliation and expressed the belief that the differences between Cuba and the United States could be resolved within the OAS.

During the debate, the majority of the Council members were of the opinion that the dispute between Cuba and the United States should, at least in the first instance, be dealt with by the OAS. Some members, when expressing their support for the draft resolution, voiced the following considerations: that the OAS had already begun consideration of the question; that, in the absence of more complete information, the Council could not take a decision on the substance of the question, and that the course recommended in the draft resolution was consistent with the provisions in the Charters of both the United Nations and the Organization of American States. It was, at the same time, stressed by other members that the draft resolution maintained the jurisdiction of the Council in the Cuban complaint.

The representative of the USSR emphasized that the Cuban complaint fell entirely within the jurisdiction of the Council. In his view, the proposal to refer the question to the OAS was designed to prevent the Security Council from taking measures to protect Cuba's integrity and independence. Cuba had not submitted its complaint to the OAS; the latter had, however, decided to consider a question, but it was not the same as the one raised by Cuba in the Council. The USSR submitted amendments to the two-Power draft resolution providing for: (1) the deletion of the preambular paragraph which noted that the question was under consideration by the OAS and of operative paragraph 1; (2) the replacement, in operative paragraph 2, of the words "Organization of American States" by the words "United Nations".

On 19 July, the USSR amendments were put to the vote and received 2 votes in favour, 8 against and 1 abstention, and were not adopted. The joint draft resolution was adopted by 9 votes to none, with 2 abstentions.

(ii) *Other communications to the Council*

On 18 July 1960, the Secretary-General of the Organization of American States informed the Security Council of a decision of the Council of the OAS to convene, at the request of Peru, a Meeting of Consultation of Ministers of Foreign Affairs in order to consider, *inter alia,* the requirements of continental solidarity and the defence of the regional system.

The Seventh Meeting of Consultation took place in San José, Costa Rica, between 22 and 29 August 1960, following which the Secretary-General of the OAS transmitted to the Security Council the Final Act of the Meeting, in accordance with resolution II adopted at the meeting. By that resolution, the Foreign Ministers reiterated their faith in the effectiveness of the methods and procedures for the pacific settlement of controversies in the inter-American system, and decided to create an *ad hoc* Committee of Good Offices which, at the request of the interested Governments, was to facilitate the settlement of controversies between American Governments. The Final Act also contained a "Declaration of San José" (resolution I) which, *inter alia,* condemned "intervention or the threat of intervention" from an extra-continental Power in the affairs of the American Republics; rejected "the attempt of the Sino-Soviet Powers to make use of the political, economic or social situation of any American State inasmuch as that attempt is capable of destroying hemispheric unity and jeopardizing the peace and the security of the hemisphere"; reaffirmed the principle of non-intervention by any American State in the internal or external affairs of the other American States; and proclaimed that all members of the Organization of American States were "under obligation to submit to the discipline of the inter-American system" and that the soundest guarantee of their sovereignty and independence stemmed from compliance with the Charter of the Organization of American States.

By a letter dated 7 November 1960, the Secretary-General of the OAS informed the Security Council of the contents of five notes regarding a proposal by the United States to call a meeting of the *ad hoc* Committee referred to above in order to clarify the facts in relation to matters which were in controversy between Cuba and the United States.

In a letter dated 26 November, addressed to the Secretary-General of the United Nations and circulated as a Security Council document, Cuba objected to the contents of the letter of the OAS of 7 November and the United States' notes which, in its view, appeared to establish a connexion between the resolution adopted by the Security Council on 18 July 1960, the Declaration of San José and the creation of the *ad hoc* Committee. Cuba maintained that the OAS communications could not constitute its report to the Council, as requested in the Council's resolution of 18 July.

(iii) *Letter dated 31 December 1960 from the Minister for External Relations of Cuba addressed to the President of the Security Council*

On 4 January 1961, the Security Council met again at the request of Cuba to consider charges that the United States was about to commit direct military aggression against Cuba. The charges were contained in a letter addressed to the President of the Security Council on 31 December 1960, wherein Cuba stated, *inter alia,* that plans for an invasion of Cuba had been developed by the United States with the co-operation of Cuban war criminals and of various Governments in the Western Hemisphere, and asked the Council to take the measures which it deemed necessary to prevent this action. By a further communication, dated 3 January, Cuba appraised the Security Council of the decision of the United States to break off diplomatic relations with Cuba. The complaint was discussed at three meetings held on 4 and 5 January, to which the representative of Cuba was invited.

In the discussion, the representative of Cuba reaffirmed his Government's right to appeal to the Council and expressed opposition to any attempt to transfer the examination of the complaint to the OAS. He said that his country was faced with an imminent invasion by the United States, heightened by the latter's decision to break off diplomatic relations. He stated that, among the most recent developments in the preparations for the military intervention, were the following: United States materials had been airlifted to counter-revolutionary groups in Cuba; training camps for Cuban mercenaries had been established at various points in the United States, Guatemala and Nicaragua from which a number of small military expeditions to different points of the island were to be undertaken; United States Embassy personnel had been engaged in espionage and in conspiracy with counter-revolutionary elements; and false and harmful propaganda against Cuba was being broadcast from the United States with financial support of the United States Government and the American monopolies. Furthermore, United States manoeuvres to isolate Cuba from the rest of Latin America had resulted in the severance of diplomatic relations with Cuba by some Latin American countries.

The representative of the United States stated that because of the continued provocative and hostile actions of Cuba, his Government had been compelled to break off diplomatic relations with Cuba. He denied as false and "hysterical" the charges that his country was planning a military attack on Cuba. Similar allegations had been made by Cuba before, which had been proved to be without foundation; meanwhile, Cuba had refused to accept the Committee of Good Offices of the OAS, which provided a forum where the difficulties between Cuba and the United States might be ironed out. It was not the United States, but the leaders of Cuba themselves who had isolated their country from the other nations in the hemisphere by pursuing a policy of subversion throughout Latin America, openly espoused and abetted by the international communist movement.

The representatives of Ecuador and Chile considered that the Council was competent to deal with the question and that, without passing judgement on the charges made, it should recommend a peaceful solution of the controversy, allowing the parties wide scope to choose any of the peaceful methods provided for in the United Nations Charter and in the regional system. They submitted, on 4 January, a draft resolution by which the Council, considering the tension in relations between Cuba and the United States and considering that it was the duty of Member States to resolve their international disputes by the peaceful means provided for in the Charter, would: (1) recommend to the two Governments that they make every effort to resolve their differences by the peaceful means provided for in the Charter; and (2) urge Member States to refrain from any action which might aggravate the tension between the two countries.

The representative of the USSR stressed the importance of the decision facing the Security Council. The question concerned not only the defence of a small country under the threat of aggression by the United States, but also the prevention of a development of events which could be dangerous for the entire world. If the Security Council failed to defend Cuba, the latter would receive active support from the peace-loving countries.

Other members of the Council thought that the evidence presented by Cuba had not rendered substantive proof of an actual imminent invasion; they indicated that they would therefore not favour any action by the Council, particularly any resolution which would indicate some recognition of the charges.

The representative of Ceylon expressed the view that the Security Council, as the principal United Nations organ entrusted with the preservation of international peace and security, could lend its assistance to the restoration of harmonious relations between Cuba and the United States by an expression of its collective opinion. A similar view was expressed by the representative of the United Arab Republic, who supported the joint draft resolution.

The representatives of Ecuador and Chile, referring to objections made to their draft resolution, stressed that it contained nothing that could be construed as an endorsement or denial of the allegations made by Cuba, and that its sole purpose was to recommend a peaceful settlement of the controversy between Cuba and the United States in accordance with the principles of the Charter. However, since there was not the desired unanimity for its adoption, they would not press it to the vote. Consequently, no decision was adopted by the Council.

(*b*) CONSIDERATION BY THE GENERAL ASSEMBLY

On 18 October 1960, Cuba requested the inclusion in the agenda of the fifteenth session of the General Assembly of the item entitled "Complaint by the Revolutionary Government of Cuba regarding the various plans of aggression and acts of intervention being executed by the Government of the United States of America against the Republic of Cuba, constituting a manifest violation of its territorial integrity, sovereignty and independence, and a clear threat to international peace and security". An explanatory memorandum recalled that the Revolutionary Government of Cuba had previously brought to the attention of the Security Council the continuing reprisals and aggressive acts of the Government of the United States against Cuba. In spite of repeated warnings and complaints by Cuba, the United States had intensified its plans for aggression and intervention in the domestic affairs of Cuba. The memorandum also charged the United States with recent violations of Cuba's territorial integrity and sovereignty which, it said, were prelude to a large-scale invasion of Cuba.

On 25 October, the General Committee decided to recommend the inclusion of the item in the agenda and, by 12 votes to 3, with 5 abstentions, further decided to refer the item to the First Committee.

On 31 October, the Assembly included the item in its agenda, and on the following day rejected by a roll-call vote of 45 to 29, with 18 abstentions, a Cuban amendment to the General Committee's recommendation which would have had the Assembly consider the item in plenary meeting, and upheld the Committee's recommendation by a roll-call vote of 53 to 11, with 27 abstentions.

The First Committee considered the complaint on 15 April 1961 and continued its consideration at ten subsequent meetings held between 17 and 20 April.

At the First Committee's meeting on 15 April, the representative of Cuba accused the United States of having committed aggression against the territorial integrity and political independence of Cuba. He read a statement which had been issued by the Revolutionary Government of Cuba to the effect that at 6 a.m. that morning B-26 aircraft of the United States manufacture had simultaneously attacked targets in the cities of Havana, San Antonio de los Baños and Santiago de Cuba. He declared that the Government of Cuba, without prejudice to its right of self-defence, reserved its right to have recourse to all the means of redress provided by the United Nations Charter.

The representative of the United States rejected the charges as wholly unfounded, declaring that no United States personnel or airplanes had been involved in the reported bombings. As the President of the United States had stated, the United States armed forces would under no circumstances intervene in Cuba, and the United States Government would make every effort to ensure that no United States citizens participated in any action against Cuba.

On 17 April, the representative of Cuba declared that his country had been invaded that morning by a mercenary force organized, financed and armed by the United States, proceeding from Florida and Guatemala. The details of the invasion plans, including the recruitment and training of counter-revolutionaries by personnel of the Pentagon and Central Intelligence Agency, the location of bases and the organization of a Cuban Revolutionary Council in Exile, had been already discussed in the United States press. He charged the United States with having committed aggression against Cuba and called upon the United Nations to take prompt and effective measures to put an end to that aggression.

The United States representative categorically denied the charges, and declared that no attack against Cuba had been launched from any part of the United States. While the United States sympathized with those who opposed the Castro régime and who sought to bring freedom to Cuba, it was opposed to the use of its territory for mounting an offensive against any foreign Government. The events in Cuba were a result of Prime Minister Castro's own policies, his betrayal of the Cuban revolution, which had turned thousands of Cubans against his régime. The issue was not between the United States and Cuba, but among the Cubans themselves. The representative of Guatemala also denied that any forces involved in the invasion of Cuba had come from his country.

The representative of the USSR declared that the armed intervention of the United States in Cuba was a flagrant violation of the Charter, creating a serious threat to world peace and security. In the face of that aggression, Cuba would receive the support of the Soviet Union and other friendly countries. The representative of Romania, supporting the Cuban charges, submitted a draft resolution whereby the General Assembly, deeply concerned about the armed attack on Cuba which constituted a threat to international peace and security, would: (1) demand the immediate cessation of the military operations against Cuba; and (2) make an urgent appeal to the States, whose territory and means were being used, to stop without delay every assistance to those who were carrying out the attack.

On 18 April, Mexico submitted a draft resolution, by which, *inter alia*, the General Assembly would, in the preamble, express its deep concern over the situation in Cuba, the continuation of which was likely to endanger peace, consider that it was the aim of the United Nations to develop friendly relations based on respect for the principle of equal rights and self-determination of peoples, express its firm belief that the principle of non-intervention in the internal affairs of any State imposed an obligation on Members of the United Nations to refrain from encouraging or promoting civil strife in other States, and state that it was mindful that it was the duty of all States, under Article 33 of the Charter, to seek the pacific settlement of disputes by the means enumerated therein. In the operative part of the draft resolution, the Assembly would: (1) make an urgent appeal to all States to ensure that their territories and resources were not used to promote a civil war in Cuba; (2) urge them to put an immediate end to any activity that might result in further bloodshed; and (3) request them to co-operate, in keeping with the spirit of the Charter, in the search for a peaceful solution to the situation.

In presenting his draft resolution, the representative of Mexico emphasized that the competence of the United Nations to deal with a situation involving two Member States could not be challenged on the ground that both parties were also members of a regional organization. Once a complaint had been brought before the United Nations, the body dealing with it had the authority to recommend a method for peaceful settlement, and was not necessarily compelled to refer the question to the regional organization. Because of the seriousness of the situation in Cuba, the Assembly should take prompt and effective action based on the principles of non-intervention and respect for a Member State's territorial integrity and political independence for a pacific settlement of the dispute.

On the same day, Argentina, Chile, Colombia, Honduras, Panama, Uruguay and Venezuela submitted a draft resolution by which, *inter alia*, the General Assembly, deeply concerned over the situation in Cuba which was disturbing the American continent and the continuation of which could endanger peace, recalling the last two paragraphs of the resolution adopted by the Security Council on 19 July 1960 and the peaceful means of settlement established at the Seventh Meeting of Consultation of Foreign Ministers of the American Republics, and considering that the States Members of the United Nations were under an obligation to settle their disputes by negotiation and other peaceful means, would: (1) exhort those Member States which belonged to the Organization of American States to lend their assistance with a view to a settlement by peaceful means in accordance with the Purposes and Principles of the United Nations Charter and of the Charter of the Organization of American States; and (2) exhort all Member States to abstain from any action which might aggravate existing tensions.

On 19 April, the USSR submitted a draft resolution whereby the General Assembly, expressing deep concern about the armed aggression against Cuba, which was a threat to international peace and security, would: (1) condemn the aggressive actions of the United States and other countries on whose territories counter-revolutionary bands were being formed, trained and armed, and from whose territories the invasion of Cuba was being carried out; (2) demand the immediate disarming of all counter-revolutionary bands on the territory of the United States and other countries, where they were being prepared for aggression against Cuba; (3) demand that the Governments of all States Members of the United Nations cease to give assistance of any kind to such bands and to allow their territory to be used by them for the preparation and execution of aggressive actions against Cuba; and (4) call on all Member States to render the necessary assistance to the Government of Cuba, should it so request, to repel the aggression.

During the debate, many representatives spoke against foreign intervention in Cuba, expressed adherence to the principles of self-determination and non-intervention and welcomed the assurances given by the United States that it would not intervene in Cuba. Other representatives held the United States directly responsible for the events in Cuba, while some others thought that the evidence produced was not sufficient to take a position on the substance of the dispute.

The sponsors of the seven-Power draft resolution, stressing the paramount interest of the Latin American countries in fostering a peaceful solution of the dispute, stated that both the United Nations and the OAS were competent to consider the Cuban question without any claim to exclusive jurisdiction. While any State belonging to both organizations had the right to appeal to either of the two, the OAS, whose competence was recognized by Article 52 of the United Nations Charter, was the most appropriate forum for solving the conflict.

Other representatives, including several Latin American delegations, likewise thought that the dispute should be settled within the regional framework, and expressed support for the seven-Power draft resolution. A number of representatives from Asia and Africa, who supported the Mexican draft resolution, considered, however, that foreign intervention in Cuba posed a real threat not only to the peace and security of the Western Hemisphere, but of the whole world, and that it was the duty of the United Nations to deal with the situation. The representative of Cuba opposed the seven-Power draft resolution and emphasized that Cuba had chosen to appeal ot the United Nations and had declined the procedure of referring the question to the Organization of American States.

Several amendments to the seven-Power draft resolution were submitted on 20-21 April. Among them were amendments submitted by the Sudan to: (1) state in the preamble that the situation was disturbing "world public opinion" rather than "the American continent" and that its continuation could endanger "world" peace; (2) delete the references to the Organization of American States and its Charter in operative paragraph 1; and (3) substitute for operative paragraph 2 a text whereby the General Assembly would exhort all Member States to take such action as was open to them to remove existing tension. The first and third Sudanese amendments, as well as an oral sub-amendment by Saudi Arabia to the third Sudanese amendment to insert the word "peaceful" before "action" were accepted by the co-sponsors. The seven-Power draft resolution was further modified by its co-sponsors to include an oral amendment by Cyprus which added, in operative paragraph 1, a request to members of the Organization of American States to report to the United Nations as soon as possible within the present year on the measures they had taken to achieve a peaceful solution.

The Committee rejected the second Sudanese amendment by a roll-call vote of 43 to 31, with 23 abstentions. The seven-Power draft resolution, as modified, was adopted as a whole by a roll-call vote of 61 to 27, with 10 abstentions. The Mexican draft resolution was also adopted by a roll-call vote of 42 to 31, with 25 abstentions. The representatives of the USSR and Romania stated that they would not press for a vote on their respective draft resolutions.

The report of the First Committee was considered by the General Assembly on 21 April. Separate votes were requested on the third preambular paragraph and on operative paragraph 1 of the seven-Power draft resolution. The third preambular paragraph was adopted by a roll-call vote of 55 to 15, with 25 abstentions; operative paragraph 1, which contained references to the OAS, received 56 votes in favour, 32 against, and 8 abstentions, and was not adopted, having failed to obtain the required two-thirds majority. The draft resolution, as amended, was adopted by a roll-call vote of 59 to 13, with 24 abstentions (resolution 1616 (XV)). The Mexican draft resolution received 41 votes in favour, 35 against and 20 abstentions, and was not adopted, having failed to obtain the required two-thirds majority.

25. Complaints by the Union of Soviet Socialist Republics

(*a*) QUESTION SUBMITTED TO THE SECURITY COUNCIL ON 13 JULY 1960

On 13 July 1960, the Minister for Foreign Affairs of the Union of Soviet Socialist Republics requested an urgent meeting of the Security Council to examine the question of "New aggressive acts by the Air Force of the United States of America against the Soviet Union, creating a threat to universal peace". In an explanatory memorandum it was stated that, in spite of the Security Council's consideration of the violation of the Soviet airspace by the United States military aircraft, those aggressive acts had continued, constituting a serious threat to the maintenance of international peace.

On 22 July, the Council included the USSR communication in its agenda without objection and considered it at four meetings held between 22 and 26 July.

The representative of the USSR stated that on 1 July 1960 an RB-47 armed reconnaissance bomber of the United States Air Force violated the State frontiers of the USSR in the Barents Sea. As it did not follow the orders of a Soviet fighter to land, it was shot down in the airspace of the Soviet Union. Thus, the United States policy of deliberate provocations had not stopped even after the Security Council's resolution of 27 May 1960 calling upon all Member States to refrain from any action which might increase tensions. The representative of the USSR also submitted a draft resolution whereby the Security Council would condemn these continuing provocative activities of the United States Air Force and regard them as aggressive acts, and would insist that the United States should take immediate steps to put an end to such acts and prevent their recurrence.

The representative of the United States said that the American plane RB-47 had proceeded on a mission over the international waters of the Barents Sea. The plane was on a prescribed course which at no time was to bring it closer than fifty miles from Soviet territory but had been forced off its course by a Soviet fighter. The plane had, however, never been nearer than thirty miles to Soviet airspace. The United States also submitted a draft resolution, according to which the Security Council, *inter alia,* noting the differences between the two Governments regarding the facts of the incident and questions of legal liability and recalling its resolution of 27 May 1960, would recommend to the Governments of the Soviet Union and the United States to undertake to resolve their differences arising out of the plane incident of 1 July 1960 either: (*a*) through investigation of the facts by a commission, composed of members designated in equal numbers by the United States, by the Soviet Union and by a Government or authority acceptable to both parties, which would be charged with inquiring into the incident by inspecting the site, examining such remains of the plane as might be located, and interrogating survivors and other witnesses; or (*b*) through referral of the matter to the International Court of Justice for impartial adjudication.

The representatives of the United Kingdom, France, Italy and China stated that the charges brought against the United States by the Soviet Union appeared unfounded and that the incident was being used to increase world tension. Italy submitted a draft resolution by which the Council would express the hope that the International Committee of the Red Cross would, in accordance with international practice, be allowed to perform its humanitarian tasks with regard to the detained crew members of the American plane.

The representative of Poland compared the RB-47 flight to the U-2 flight to show the aggressive nature of the former. The United States draft resolution was an attempt to sidetrack and to defer the whole problem; all the evidence necessary to prove United States responsibility had been presented.

The representatives of Tunisia, Ecuador, Argentina and Ceylon considered the United States draft resolution very constructive, especially because it contained no condemnatory clause, and stated that they would, therefore, vote for it. The representative of Ecuador proposed an additional paragraph to this draft resolution requesting the parties concerned to report to the Security Council, as appropriate, on the steps taken by them to carry out the resolution.

The USSR representative opposed the Italian draft resolution, stating that its aim was not humanitarian but to divert attention from the need to condemn the organizers of aggressive action. It also proposed interference in the internal affairs of the Soviet Union.

On 26 May, the Security Council voted on the three draft resolutions. The USSR draft resolution was rejected by 9 votes to 2. The United States draft resolution, as amended, received 9 votes in favour and 2 against. Owing to the negative vote of a permanent member, the draft resolution was not adopted. The Italian draft resolution received 9 votes in favour and 2 against. Owing to the negative vote of a permanent member, the draft resolution also was not adopted.

(*b*) QUESTION SUBMITTED TO THE GENERAL ASSEMBLY AT ITS FIFTEENTH SESSION

On 20 August 1960, the USSR requested the inclusion in the agenda of the Assembly's fifteenth session of the item "The menace to world peace created by aggressive actions of the United States against the Soviet Union".

On 23 September, the General Committee decided to recommend that the item be included in the agenda, reworded to read: "Complaint of the Union of Soviet Socialist Republics about a menace to world peace created by aggressive actions of the United States of America against the Union of Soviet Socialist Republics". On 10 October, the General Assembly adopted the recommendation of the General Committee and on 13 October allocated the item to the First Committee.

On 5 April 1961, the USSR representative in the First Committee declared that the USSR did not insist on retaining this item in the agenda of the General Assembly. On 21 April, the First Committee decided not to take action on the item. It reported to the Assembly that it had therefore no recommendation to make.

26. The question of Hungary

On 20 August 1960, the United States requested that an item entitled "The question of Hungary" be included in the agenda of the fifteenth session of the General Assembly, recalling, in an explanatory memorandum, that by resolution 1454 (XIV) the General Assembly had requested the United Nations Special Representative on Hungary to continue his efforts. The Assembly had also called upon the USSR and the authorities in Hungary to co-operate with the Special Representative, and since the latter had stated that his efforts to consult with the Soviet and Hungarian authorities had been rejected, the United States considered that the question should be further examined.

Inclusion of the question in the agenda was considered by the General Committee on 23 September, and it was recommended by 12 votes to 4, with 4 abstentions, that the item should be included. On 10 October, the General Assembly approved the recommendation by 54 votes to 12, with 31 abstentions, and on 11 October decided to consider the question in plenary meeting.

On 1 December, the United Nations Special Representative on Hungary submitted a report containing a brief history of the events since the 1956 uprising and the lack of results achieved by the United Nations. He stated that while there was some relaxation of the exceptional practices which had been introduced for repressive measures, the amnesties issued by the Hungarian authorities were very limited in scope. Summing up, he stated that he had found no evidence of co-operation from the parties concerned, that the people of Hungary were subject to foreign domination, that troops of an alien Power remained on their soil, and that, consequently, the people were denied the elementary human right of freely choosing those whom they wished to govern them.

In a letter dated 6 December, Hungary protested that the Secretariat was continuing to co-operate with the public enemies of the People's Republic of Hungary, and contended that the report of the Special Representative did not contain any matter that fell within the competence of any international organization.

On 15 April 1961, a draft resolution was circulated, sponsored by Canada, China, Colombia, Costa Rica, Ecuador, the Federation of Malaya, France, Guatemala, Honduras, Italy, Luxembourg, the Netherlands, New Zealand, Nicaragua, Panama, the Philippines, Portugal, Spain, the United Kingdom, the United States, Uruguay and Venezuela. According to this draft resolution, the General Assembly, having considered the report of the United Nations Representative on Hungary, who was responsible to the Assembly for reporting on significant developments relating to the implementation of the Assembly's resolutions on Hungary, would deplore the continued disregard by the Union of Soviet Socialist Republics and the present Hungarian régime for the Assembly's resolutions concerning the situation in Hungary.

The item was not discussed during the fifteenth session of the General Assembly. At the closing meeting, the President stated that it should be understood that subsidiary organs whose reports had not been considered because of the pressure of time were authorized to submit reports to the sixteenth session. The representative of the United States expressed profound regret that the Assembly had not been able to complete its consideration of the Hungarian question and invited the attention of all Members to the report of the United Nations Representative, who was counted upon to continue his efforts.

27. The question of Tibet

On 19 August 1960, the Federation of Malaya and Thailand proposed the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "The question of Tibet". They stated that, despite the appeal by the General Assembly in resolution 1353 (XIV) of 21 October 1959 for respect for the fundamental human rights of the Tibetan people and for their distinctive cultural and religious life, their rights continued to be disregarded and the situation in Tibet remained a source of grave concern.

The General Assembly, on the recommendation of the General Committee, decided on 10 October to include the item in the agenda, and on the following day decided to consider it in plenary meeting.

A draft resolution was submitted on 10 April 1961 by the Federation of Malaya, Ireland and Thailand whereby the General Assembly would, in the preamble, recall its resolution 1353 (XIV), note with grave concern the continuation of events in Tibet, including violation of fundamental human rights, suppression of cultural and religious life and denial of the traditional autonomy of the Tibetan people, resulting in a large-scale exodus of refugees, and consider that those events were opposed to the observance of fundamental human rights and freedom and had the effect of increasing international tension and embittering relations between peoples. Under the operative paragraphs of the draft resolution, the Assembly would: (1) reaffirm its conviction that respect for the principles of the Charter and of the Universal Declaration of Human Rights was essential for the evolution of a peaceful world order based on the rule of law; (2) solemnly renew its call for the cessation of practices which deprived the Tibetan people of their fundamental human rights and freedoms; and (3) appeal to Member States to use their good offices and best endeavours as appropriate to achieve the purposes of the resolution.

As the General Assembly adjourned its fifteenth session on 21 April, the President noted that a number of items on the agenda could not be taken up at the session owing to the extreme pressure of work. The representative of the Federation of Malaya expressed deep regret and disappointment that it had not been possible for the Assembly to discuss the question of Tibet at that session, and expressed the hope of his delegation and that of Thailand that the matter would be given as high a priority as possible at the sixteenth session.

28. The Korean question

In accordance with resolution 1455 (XIV) of 9 December 1959, the Korean question was placed on the provisional agenda of the General Assembly. The item was included in the agenda on the recommendation of the General Committee and was considered by the First Committee at eight meetings from 10 to 14 and on 17 and 21 April 1961.

The First Committee had before it the tenth annual report, together with a supplement, of the United Nations Commission for the Unification and Rehabilitation of Korea covering the period from 11 August 1959 to 18 September 1960. On the question of unification, the Commission stated that there had been no indication of readiness on the part of the communist authorities concerned to respond to the call of the General Assembly in resolution 1455 (XIV) to accept established United Nations objectives in Korea. The new Government of the Republic of Korea had declared that unification should be achieved through United Nations supervised elections throughout Korea. The Commission reported that the Committee of UNCURK had observed two elections of national scope: (1) Presidential and vice-presidential elections of 15 March 1960 which had been accompanied by certain irregularities and had led eventually to the resignation of President Syngman Rhee, the amendment of the Constitution, and the formation of the new government; and (2) National Assembly elections of 29 July which had been organized and conducted, on the whole, in a very satisfactory manner. The Commission also reviewed Korea's economic situation and prospects.

In relation to the substance of the question, the First Committee had before it memoranda of 29 October, 25 November 1960, and 6 March 1961 from the Democratic People's Republic of Korea which, *inter alia,* stated that UNCURK had concealed the aggressive policy of the United States in Korea, that Korea had remained divided solely because of continued occupation of South Korea by the United States armed forces, and that the country must be unified, without foreign interference, through the holding of free and democratic elections in North and South Korea. To that end, the Democratic People's Republic of Korea proposed certain provisional measures, including: immediate dissolution of UNCURK and withdrawal of United States armed forces from South Korea; establishment of a confederation of North and South Korea, or of a North-South economic commission; and reduction of armed forces in North and South Korea to 100,000 men each. Also before the Committee were communications from the USSR dated 7 December and from Albania dated 22 December in support of the proposals of the Democratic People's Republic of Korea.

The Committee also received a memorandum of 15 March 1961 from the Republic of Korea, declaring that the Republic adhered to the principle of peaceful unification in accordance with the United Nations objectives, and that the country had remained divided because of aggressive policies of the USSR and of the North Korean and Chinese communist authorities.

On 10 April, Australia, Belgium, Colombia, France, Greece, Luxembourg, the Netherlands, the Philippines, Thailand, Turkey, the Union of South Africa, the United Kingdom and the United States submitted a draft resolution which provided, *inter alia*, that the General Assembly would: (1) note with deep satisfaction the continued support of democratic principles and practices in the Republic of Korea and the full support given by its Government for the peaceful unification of the nation in accordance with the principles endorsed by the Assembly and express the belief that it was entitled to be recommended for membership; (2) note that the Governments concerned were prepared to withdraw the remaining forces from Korea when the conditions for a lasting settlement laid down by the Assembly had been fulfilled; (3) reaffirm the United Nations objectives to bring about by peaceful means the establishment of a unified, independent and democratic Korea under a representative form of government, and to restore international peace and security in the area; (4) call upon the communist authorities concerned to accept the established United Nations objectives in order to achieve a settlement in Korea, and to agree on the holding of genuinely free elections; and (5) request UNCURK to continue its work.

The First Committee also had before it a communication dated 22 October 1960 from the Democratic People's Republic of Korea stating its right to participate in the discussion of the question.

The first matter taken up by the Committee in connexion with the item was the question of invitations to participate, without the right to vote, in the discussion of the Korean question. Two draft resolutions were submitted: the first, by the United States, proposed to invite a representative of the Republic of Korea; the second, by the Union of Soviet Socialist Republics, proposed to invite representatives of the Democratic People's Republic of Korea and the Republic of Korea. Indonesia submitted an amendment to the United States draft resolution providing for invitation also to the representative of the Democratic People's Republic of Korea, and the United States submitted a sub-amendment to that proposal which would provide that the latter first unequivocally accept the competence and authority of the United Nations within the terms of the Charter to take action on the Korean question, as had already been done by the Republic of Korea.

During the discussion of the question of invitations, the representative of the United States observed that the North Korean régime had launched in 1950 an unprovoked attack against the Republic of Korea and had consistently defied the authority of the United Nations. To permit an aggressor which had continued to deny the competence of the United Nations to deal with the Korean problem to participate in the Committee's discussions would undermine the basic principles of the Charter. The Committee should invite the Republic of Korea which had clearly expressed its support of the Organization and of the United Nations resolutions on Korea.

Those who supported the United States proposal maintained that the two sides in Korea could not be regarded as of equal standing because North Korea had committed aggression and openly defied the authority of the United Nations. The conditional invitation was unprecedented because there had been no previous instance wherein a party had sought to be heard by the Committee and, at the same time, denied the competence of the Committee on the very question. The United Nations, in dealing with a *de facto* authority such as the North Korean régime, had to apply the principles embodied in Articles 2, paragraph 6, and 35, paragraph 2, of the Charter.

The representative of the USSR stated that many countries, including the United States, had acknowledged in the past that the Korean problem could not be solved without the participation of the Democratic People's Republic of Korea. A decision to invite both North and South Korea would be in accord with the United Nations Charter and all the more desirable since the Democratic People's Republic of Korea had proposed certain measures for breaking the prevailing deadlock. To place a condition on the invitation to North Korea would be unprecedented, discriminatory and outside the scope of the Charter. The Democratic People's Republic of Korea, in applying for membership in the United Nations, had already undertaken to observe the Charter.

Those who supported invitations to both North and South Korea on an equal basis and opposed a conditional invitation to the North declared that unification could not be achieved without the co-operation of the Democratic People's Republic of Korea. Imposition of unwarranted and humiliating conditions would make the participation of North Korea more unlikely, would entail far-reaching precedential implications and would preclude a constructive approach towards the unification of Korea.

On 12 April, the United States draft resolution, as amended, was adopted, and the Committee decided not to put to the vote a USSR draft resolution which provided for an invitation to the representatives of both North and South Korea.

In reply to a cable dated 13 April by which the Secretary-General had transmitted the Committee's resolution to the Minister of Foreign Affairs of the Democratic People's Republic of Korea, the Minister, in a cable dated 17 April and addressed to the President of the General Assembly, stated, *inter alia*: that his Government had always respected and supported the United Nations; that it would send a representative to participate in the discussions as this was the right of the Korean people, but that it would not recognize any unjust resolution which might be adopted without the participation and approval of its representative.

On 14 April, the Committee adopted a Japanese proposal to seat immediately the representative of the Republic of Korea, and also adopted, without objection, a Netherlands proposal to seat the representative of UNCURK at the Committee table.

On 21 April, the First Committee, in view of the limited time before the end of the fifteenth session, decided to recommend to the General Assembly that consideration of the item be adjourned to the sixteenth session of the Assembly. On the same day, the Assembly accepted the Committee's recommendation.

29. The status of the German-speaking element in the Province of Bolzano (Bozen); implementation of the Paris Agreement of 5 September 1946

On 23 June 1960, Austria requested the inclusion in the agenda of the fifteenth session of the General Assembly of an item entitled "The problem of the Austrian minority in Italy". In an accompanying memorandum, Austria stated that the Paris Agreement of 5 September 1946, which provided for legislative and executive autonomy of the South Tyrolean population in order to protect the ethnic and cultural character of the Austrian population in that area, had been interpreted and applied by Italy in a way that contradicted its purpose in essential respects. For several years, efforts through negotiations between the Austrian and Italian Governments had failed to achieve a solution to the question, and the situation had become more and more acute. Accordingly, Austria requested the General Assembly, under Articles 10 and 14 of the Charter, to consider the dispute between Austria and Italy in order to bring about a just settlement by which the Austrian minority in Italy would be conceded a true autonomy.

On 4 October, Austria transmitted a further memorandum on the subject and, on 12 October, Italy also transmitted a memorandum in connexion with the question.

On 23 September, the General Committee, upon a proposal by Canada, decided to recommend that the title of the agenda item be amended to read: "The status of the German-speaking element in the Province of Bolzano (Bozen); Implementation of the Paris Agreement of 5 September 1946". On 10 October, the General Assembly included the item as amended in its agenda and, on 13 October, decided to refer it to the Special Political Committee.

The Committee considered it at ten meetings from 18 to 27 October 1960.

On 14 October, Austria submitted a draft resolution whereby the General Assembly would: (1) recognize the justified demand of the South Tyroleans for substantial and effective regional autonomy; (2) recommend that the two parties concerned resume without delay negotiations aiming at the establishment of the Province of Bozen/Bolzano as an autonomous region with legislative and executive power; and (3) invite the two parties to submit a report on the result of their negotiations to the General Assembly at its sixteenth session.

On 18 October, the representative of Austria stated that, although at the time of the signing of the Paris Agreement Austria had not been a free agent, it had, nevertheless, hoped that a generous and equitable implementation of that Agreement would create conditions in which the South Tyroleans would be able to administer their own affairs and would thus settle down to a secure existence within Italy. Unfortunately, Italy had not implemented either the spirit or the letter of the Paris Agreement. Thus, there was an urgent political problem to be faced. Since the vital interest of a minority group of 250,000 persons was at stake, the problem could not be reduced to a simple matter of legal interpretation which invariably meant protracted deliberations. The South Tyrol problem would not be solved by a reference to the International Court of Justice.

The representative of Italy said that Austria's arguments went beyond the scope of the item, which had been included in the Assembly's agenda by common agreement. The Paris Agreement of 1946, which had received the consent and approval of the Austrian Government and the German-speaking inhabitants of the Province of Bolzano, had been added as an annex to the Peace Treaty of 1947. That Agreement had been welcomed by both the representatives of the Austrian Government and the Tyroleans as a liberal settlement and it was being implemented in letter and in spirit by Italy. The German-speaking peoples of the area of Bolzano had full civil and political liberties; they elected their representatives to the Parliament, they had schools and newspapers in their own language, and thus they had an active autonomous province with wide legislative and executive powers and considerable financial resources. It was only since 1956 that Austria had begun to make reservations about the implementation of the Agreement. When differences had arisen over the implementation of the Agreement, Italy had proposed that the matter be referred to the International Court of Justice. Austria had objected, maintaining that the procedure before the Court would be too lengthy but the draft resolution submitted by Austria envisaged a procedure which would take at least as much time. That draft resolution had made it clear that Austria was not merely asking for the full implementation of the Paris Agreement but was, in fact, seeking to have it superseded by a new agreement, a course of action which proved that Austria had no well-founded complaint in regard to the implementation of the Agreement on the part of Italy.

In the discussion which followed, all representatives favoured resumption of negotiations between Austria and Italy to find a mutually acceptable solution of the question. A number of representatives stated that the question was really juridical in so far as it concerned interpretation of certain clauses of the De Gasperi-Gruber Agreement. As questions both of law and of fact were involved, they felt that the best thing would be to refer the matter to the International Court of Justice. They also declared their inability to support the Austrian draft resolution because its adoption would constitute acceptance of Austria's version of the factual and legal side of the question. Some representatives, however, felt that reference of the question to the International Court of Justice was not likely to solve the question, which they considered to be essentially of a political nature.

Many representatives, who also favoured bilateral negotiations, felt that the Assembly should try to find a procedure to which both parties could agree. In this connexion, some suggested that perhaps the Secretary-General, the President of the General Assembly, the Chairman of the Special Political Committee or an *ad hoc* committee could be of assistance in that respect, while others suggested arbitration in regard to the issues in dispute arising from the Paris Agreement and involving questions of fact. It was also suggested that a rapporteur, such as was provided for under rule 28 of the provisional rules of procedure of the Security Council, might be appointed.

On 25 October, Austria submitted a revised draft resolution whereby the Assembly would: (1) invite Austria and Italy to enter without delay into negotiations on the implementation of the Paris Agreement of 5 September 1946 in order to find a just and democratic solution; and (2) request the Secretary-General to place himself at the disposal of the parties to provide them with any assistance they might require during the course of the negotiations, either directly or by means of a representative.

Argentina, Brazil, Paraguay and Uruguay also submitted a draft resolution according to which the General Assembly would: (1) urge the two parties concerned to resume negotiations with a view to finding a solution for all differences relating to the implementation of the Paris Agreement; (2) recommend that in the event of those negotiations not leading to satisfactory results within a reasonable period of time, both parties should give favourable consideration to the possibility of submitting these differences to the appropriate jurisdictional bodies; and (3) recommend that the countries in question should refrain from any action which might impair their friendly relations.

On 26 October, the representative of Ireland introduced three proposals co-sponsored by Bolivia, Ceylon, Cuba, Cyprus, Denmark, Ecuador, Ghana, India, Iraq, Ireland, Jordan and Mexico. The first two proposed amendments to, respectively, the revised Austrian and the four-Power draft resolutions, amendments whose texts were included in the third proposal. The latter was a twelve-Power draft resolution providing, in its operative part, that the General Assembly: (1) invite Austria and Italy to conduct negotiations without delay on the implementation of the Paris Agreement in order to find a solution in conformity with the principles of justice and international law; (2) recommend that, in the event of the negotiations not leading to satisfactory results within a reasonable period of time, both parties should give favourable consideration to the possibility of seeking a solution of their differences by other peaceful means of their own choice; and (3) recommend that the countries in question should refrain from any action which might impair their friendly relations.

On 27 October, the representative of Argentina introduced a draft resolution sponsored by Argentina, Bolivia, Brazil, Canada, Ceylon, Cyprus, Denmark, Ecuador, Ghana, India, Iraq, Ireland, Jordan, Mexico, Norway, Paraguay and Uruguay, which incorporated a number of provisions contained in the two joint draft resolutions previously submitted to the Committee. Under its operative paragraphs, the General Assembly would: (1) urge the two parties concerned to resume negotiations with a view to finding a solution for all differences relating to the implementation of the Paris Agreement of 5 September 1946; (2) recommend that in the event of the negotiations referred to not leading to satisfactory results within a reasonable period of time, both parties should give favourable consideration to the possibility of seeking a solution of their differences by any of the means provided in the Charter, including recourse to the International Court of Justice or any other peaceful means of their own choice; and (3) recommend that the countries in question should refrain from any action which might impair their friendly relations.

Following statements by a number of representatives, including those of Austria and Italy, that they would support the seventeen-Power resolution, the Chairman stated that if there was no request for a vote on the draft resolution, he would consider it adopted by acclamation, and it was so adopted. The sponsors of the other draft resolutions before the Committee did not press for votes on their proposals.

On 31 October, the General Assembly also adopted without a vote the draft resolution recommended by the Special Political Committee (resolution 1497 (XV)).

30. Question of the representation of China in the United Nations

On 5 September 1960, the Union of Soviet Socialist Republics requested the inclusion in the agenda of the General Assembly's fifteenth session of an item entitled "Representation of China in the United Nations". An explanatory memorandum which accompanied the request stated that the basic purposes of the United Nations had been violated by the exclusion of the People's Republic of China from the work of the Organization. It was maintained that the restoration of the rights of the People's Republic of China in the United Nations would enhance the prestige and authority of the Organization, would be a major contribution to the general improvement of the international situation and would facilitate the tasks conferred upon the Organization by the Charter.

On 27 September, the General Committee decided, by 12 votes to 7, with 1 abstention, to recommend to the General Assembly the adoption of a draft resolution submitted by the United States of America, whereby the Assembly would decide to reject the USSR request for the inclusion of the item in the agenda, and would decide further not to consider, at its fifteenth session, any proposals to exclude the representatives of the Government of the Republic of China or to seat the representatives of the Central People's Government of the People's Republic of China.

The Committee's report was considered by the General Assembly at four meetings held on 1, 3, 6 and 8 October. Nepal submitted two amendments to the draft resolution, to one of which Guinea submitted a sub-amendment. The amendments and sub-amendment would have had the effect of reversing the General Committee's recommendations. Following the rejection of these proposals, the General Assembly, on 8 October, adopted the draft resolution recommended by the General Committee by 42 votes to 34, with 22 abstentions (resolution 1493 (XV)).

The question of the representation of China was raised again during the fifteenth session in a meeting of the Credentials Committee on 20 April 1961, and in the plenary meeting on 21 April when the Assembly considered that Committee's report.

The question was also raised in other United Nations organs and bodies during the period covered by the present report.

31. Question of an increase in the membership of the Security Council and of the Economic and Social Council

General Assembly resolution 1404 (XIV) of 25 November 1959 provided that the item relating to the question of an increase in the membership of the Security Council and of the Economic and Social Council be placed on the provisional agenda of the Assembly's fifteenth session and that if no progress towards a solution of that problem could be realized during that session, a committee should then be set up to study the possibilities of arriving at an agreement which would facilitate the amendment of the Charter to achieve such an increase in membership.

On 10 October 1960, the Assembly included the item in its agenda and on 13 October allocated it to the Special Political Committee.

During the general debate on this item, most of the representatives expressed the opinion that, in view of the considerable increase in the membership of the United Nations in recent years, there should be an increase in the membership of the Security Council and of the Economic and Social Council, thus making it possible to improve the present distribution of seats in those organs. They could not, however, agree on the means for attainment of that objective.

While many delegates sought to achieve that objective by proposing the amendment of the relevant provisions of the Charter, others took the view that, if no means could be found of amending the Charter immediately, the only way to solve the problem without delay would be to alter the present distribution of seats among different groups of States. Some, however, thought that the most important thing was that any decisions should be acceptable to all Members, particularly the principal Powers. In their view, a solution could not be reached at the fifteenth session of the General Assembly. For that reason, a committee as envisaged in General Assembly resolution 1404 (XIV) should be set up to study the matter. A number of delegates were opposed to any amendment of the Charter unless the People's Republic of China were represented in the United Nations and unless the structure of the Secretariat of the United Nations and the membership of the Councils reflected equal representation for the three world groups.

On 3 November, two joint draft resolutions were introduced. The first, relating to the membership of the Economic and Social Council, was eventually co-sponsored by forty-five delegations. In its preambular part, the draft resolution would have had the General Assembly have regard to the increase in the membership of the United Nations and to the functions of the Economic and Social Council, and consider that to ensure sufficiently broad participation in the work of that Council it was desirable to increase the number of its members. In the operative part, the Assembly was to adopt, and submit for ratification by the Members, amendments to Article 61 of the Charter increasing the membership of the Council to twenty-four, with eight members to be elected each year. The amendments were to be inoperative unless, within three years from the date of their adoption, they were ratified as required by the Charter for entry into force. Finally, the Assembly was to urge all Members to ratify the amendments in accordance with their respective constitutional processes with the least possible delay, and to decide to fill the seats of the six additional members as soon as possible after the amendments had entered into force and, if necessary, to hold a special session of the General Assembly for that purpose.

The second draft resolution, sponsored by thirty-nine delegations, would have declared, in its preamble, that the General Assembly, having regard to the increase in the membership of the United Nations and to the functions of the Security Council, considered it desirable to increase the number of non-permanent members of the Security Council in order to give due regard to the contribution to the maintenance of international peace and security and the other purposes of the Organization of Members of the United Nations not permanent members of the Security Council, and to equitable geographical distribution. The operative paragraph would have had the Assembly adopt, and submit for ratification to the Members, amendments to Articles 23 and 27 of the Charter, to increase from eleven to thirteen the number of members of the Security Council and from six to eight the number of non-permanent members, and to increase from seven to eight the number of votes required for the adoption of decisions by the Council. The amendments were to be inoperative unless, within three years from the date of their adoption by the Assembly, they were ratified as required by the Charter for entry into force. Finally, the Assembly was to urge all Members to ratify the amendments in accordance with their respective constitutional processes with the least possible delay, and to decide that the two additional non-permanent members of the Security Council should be elected as soon as possible after the amendments had entered into force, and that, if necessary, it would hold a special session for that purpose.

On 10 November, Burma, Ceylon, Ghana, India and Iraq submitted a draft resolution which would have had the General Assembly, *inter alia*, recall the provisions of resolution 1404 (XIV) and recognize that under the Charter any amendments required ratification by two-thirds of the Members, including all the permanent members of the Security Council. The operative part would have had the Assembly: (1) recommend that a committee, to include, *inter alia*, the United States of America, the United Kingdom of Great Britain and Northern Ireland, France and the Union of Soviet Socialist Republics, be set up immediately for the purpose of finding a satisfactory solution, taking into account the views expressed in that connexion in the Assembly; (2) express the fervent hope that this committee would find a solution and also recommend the proper means of implementing it; and (3) request the committee to report to the General Assembly at its sixteenth session.

On 30 November, an amendment sponsored by Cameroun, Ethiopia, Ghana, Guinea, Indonesia, Lebanon, Liberia, Nepal, Nigeria, Pakistan, Somalia, Togo and Tunisia was submitted to the forty-five Power draft resolution relating to the Economic and Social Council. The same delegations except Tunisia, also submitted an amendment to the thirty-nine Power draft resolution relating to the Security Council. The amendments called for the following changes in the two draft resolutions: (1) the existing text would be entitled "Part A", (2) the third preambular paragraph would be modified to include the consideration that to ensure sufficiently broad participation in the work of the Security Council it was essential to ensure the equitable redistribution of existing seats and to increase the membership of the Council, (3) in operative paragraph 1, the time-limit within which the amendments should be ratified by the Members would be reduced from three to two years, and (4) a new part B would be added under which the Assembly was to decide that immediate steps should be taken for the redistribution of the existing seats in the Economic and Social Council (Security Council), to be effective at the current session, so as to ensure equitable geographical distribution and in particular, to reflect the increased membership of the United Nations.

On 5 December, the thirteen-Power amendment to the forty-five Power joint draft resolution was adopted but the draft resolution, as amended, was rejected by a roll-call vote of 41 to 38, with 17 abstentions.

On 6 December, the twelve-Power amendment to the thirty-nine Power draft resolution relating to the Security Council was adopted. However, the draft resolution as amended was rejected by a roll-call vote of 42 to 36, with 17 abstentions. On 7 December, the sponsors of the five-Power joint draft resolution withdrew their draft. Consequently, the Special Political Committee, in its report to the General Assembly, stated that it had no recommendation to make on the item.

On 20 December, the General Assembly decided, by a vote of 60 to 16, with 11 abstentions, to keep the item on the agenda of its fifteenth session hoping that further negotiations might produce draft resolutions acceptable to the various interested groups. However, at the time of the closure of the session on 21 April 1961, no agreement had been reached.

Chapter III

ECONOMIC AND SOCIAL DEVELOPMENTS

A. ECONOMIC AND SOCIAL QUESTIONS

1. Economic surveys

The *World Economic Survey, 1960* was prepared for presentation to the Economic and Social Council in July 1961. Part I of the *Survey* was devoted to an examination of saving for economic growth and development and, in part II, recent developments in the world economy were reviewed. The Introduction to the *Survey* considered recent economic trends in the context of the broader issues of economic growth and stability and related these issues to the question of the adequacy of saving.

The *Survey* found that, among the developed, private enterprise economies, countries with high rates of total investment and saving have generally experienced high rates of saving in both the public and the private sectors. Though the enterprise sector has been the largest single source of private saving, inter-country differences in the level and trend of private saving have generally reflected differences in household saving. Saving habits in the household sector have been strongly influenced by rates of growth in per capita real income as well as by the distribution of income and other factors. During the last decade, the proportion of household income that is set aside as saving has tended to increase most in countries where the rates of growth in real income have been relatively high. Depreciation charges have constituted a major element in the saving of the enterprise sector; the fiscal policies of Governments with regard to depreciation allowances have thus been an important factor shaping enterprise saving. High levels of public saving have generally been achieved through relatively high levels of revenue rather than by means of relatively low levels of public consumption expenditure. In a number of countries, the foreign sector absorbed an increasing proportion of domestic saving during the last decade. But in some, balance-of-payments disequilibrium has been an impediment to higher levels of domestic saving and investment.

In reviewing the sources and trends of saving in the under-developed countries, the *Survey* found that foreign capital has contributed significantly to capital formation and economic growth. Though the bulk of investment has generally been met from domestic saving, the higher levels of investment attained by many countries during the last decade has reflected, not an increase in domestic saving, but an expanded inflow of foreign capital. Neither in the public nor in the private sector has domestic saving shown any widespread tendency to increase. Although the flow of foreign private capital to the under-developed countries increased substantially during the nineteen fifties, the distribution of these funds has continued to be heavily concentrated in a rather small number of countries. Given this concentration of private funds, it is particularly significant that the bulk of the increase in official grants and long-term loans has been received by the lower income countries. While there are many difficulties inherent in raising domestic saving in under-developed countries, a great deal more remains to be done in this regard. Where incomes and standards of living are low, it is important that, as national income grows, a large part of the increment in income be saved.

In the centrally planned economies, capital formation and rapid economic growth have been almost entirely based on domestic saving. The ability to raise domestic saving levels has been largely determined by state ownership of the predominant part of the productive capacity and by government planning and control over the amount of resources allocated to consumption. Budgetary saving, which has been the largest source of funds for investment financing, accounted for a declining share of saving during the last decade. This shift has come about because of a reduction in the share of profits transferred by the state enterprises to the budget and because of a rise in the saving of collective farms and in private saving. Private saving has been largely stimulated by the increasing opportunity to acquire individual housing facilities. Foreign capital was relatively small throughout the period although its actual impact was at times considerably greater than would appear from its share in total saving during the last decade. The foreign loans received in the form of machinery and equipment for essential industries played a considerable part in the post-war recovery of several countries and in the initiation of their industrialization. In the subsequent period, the loans were influential in overcoming specific shortages that impeded economic growth or stability.

In reviewing recent economic developments, the *Survey* noted that trends in the developed private enterprise countries were divergent. In North America, the upswing of production was arrested in the first quarter of 1960 and a mild recession developed in the course of the year. In western European countries and Japan, the expansion of output continued at an average rate which exceeded that of 1959. In spite of a decline in the imports of the United States, the total value of foreign trade attained a new peak in 1960, as trade within western Europe was intensified and United States exports recovered.

In the primary exporting countries, 1960 was a year of widespread expansion in consumption and investment, supported by a higher level of domestic production—

at least outside the agricultural sector—and a considerable increase in imports. The increase in imports was not accompanied by a comparable rise in export earnings: export prices, which had inched upwards in 1959, began to drift downwards again in 1960, and between 1959 and 1960 the average terms of trade of the primary exporting countries deteriorated slightly. Hence, as 1960 advanced, signs of balance-of-payments strain began to reappear. Though restraints became necessary in a number of countries, demand pressures generally remained strong, especially where development plans were under way.

In assessing the outlook for 1961, partly on the basis of replies to a questionnaire on economic trends, problems and policies circulated by the Secretary-General, the *Survey* noted that the growth of output in the western European countries and Japan was generally expected to be somewhat slower than in 1960, while production in North America would gradually recover although full utilization of capacity and manpower was unlikely to be achieved in 1961.

In the primary exporting countries, the prospects for maintaining the rate of growth seemed reasonably favourable in the early months of 1961: most 1960/1961 crops were larger than those of 1959/1960, and, while primary commodity supplies remained ample, there were indications that a recovery in import demand in North America might help to raise the level of export earnings.

In the centrally planned economies, industrial production continued to expand at high rates in 1960, although its pace slackened perceptibly in some countries. Developments in agriculture were far less favourable than in industrial production. Foreign trade turnover of the centrally planned economies increased at a considerably slower rate than in 1959 although its pace was about equal to the average for the second half of the nineteen fifties. The trade of the centrally planned economies with the private enterprise economies increased in 1960 at a higher rate than trade with each other. The plans for 1961 provide for a certain slowing down of the expansion of industrial production, and for acceleration in agricultural output, a special emphasis being placed on the expansion of animal husbandry.

A report entitled, *Economic Developments in the Middle East, 1959-1960,* was prepared for the thirty-second session of the Economic and Social Council. The report, which is a supplement to the *World Economic Survey, 1960,* contains, as usual, a set of Middle Eastern statistics, in the form of tables on agriculture, industrial production, government budgets, development expenditure, foreign trade, balance of payments and other relevant economic indicators. The tables were preceded by a short text reviewing recent trends in agriculture, industry, petroleum, foreign trade, balance of payments, and economic development in the region.

Special emphasis has been given to oil operations in the Middle East, following up and completing the basic data included in the 1957-1958 issue of the *Survey;* for the first time data on investment by oil companies, prices, gross operating income, as supplied to the United Nations Secretariat by leading international oil companies, have been included. A new series, including data on international loans and grants to countries of the Middle East, fluctuations in gold and foreign exchange reserves, population growth and other economic information, started for the first time in last year's issue, has been brought up to date and further expanded.

At its fifteenth session, the General Assembly discussed the economic and social consequences of disarmament. Numerous representatives considered that such a study, or series of studies, would be valuable. It was maintained that discussions at the political level should be supported by a thorough examination of the related economic aspects of disarmament. Among other things, this would help to allay fears that disarmament might lead to economic dislocation. It was also important to consider the possible repercussions of disarmament on the under-developed countries.

The Assembly adopted resolution 1516 (XV) which calls upon the Secretary-General, with the assistance of consultants appointed by him, to prepare a report on the economic and social consequences of disarmament for submission to the Economic and Social Council at its thirty-third session and to the Assembly at its seventeenth session.

The Secretary-General has invited consultants from ten countries to a preliminary meeting which will be held in August 1961. Preparatory work for this meeting is being undertaken by the Secretariat.

2. Economic development of under-developed countries

(*a*) OPPORTUNITIES FOR INTERNATIONAL CO-OPERATION ON BEHALF OF NEWLY INDEPENDENT COUNTRIES

As mentioned in last year's annual report, the Secretary-General, in pursuance of Economic and Social Council resolution 752 (XXIX), reported to the Council at its thirtieth session on the opportunities for international co-operation on behalf of former Trust Territories and other newly independent States; the Secretary-General recommended that credits available under the regular programme for technical assistance in the fields of economic development, public administration, and operational and executive personnel should be substantially increased. The Council requested the Secretary-General and the Executive Chairman of the Technical Assistance Board to prepare, so far as possible, detailed programmes for consideration by the General Assembly at its fifteenth session and by the Technical Assistance Committee at its November 1960 session, for meeting the additional needs of the newly independent and emerging States, without prejudice to assistance to other countries, and recommended that the Assembly make appropriate provision for these purposes in the United Nations budget (resolution 768 (XXX)).

The accession of seventeen States to political independence and to membership of the United Nations in 1960 gave added urgency to these recommendations, and the Secretary-General in his report to the General Assembly analysed the needs expressed by the Governments of several newly independent countries after visits by a programming mission at the invitation of the Governments concerned, and detailed consultations on technical assistance matters. A mission headed by the Executive Secretary of the Economic Commission for Africa visited and consulted with the Governments of Cameroun, Dahomey, Ivory Coast, Niger and Upper Volta in order to determine at first hand what the Governments' needs and requirements were, and to explain to them the nature and magnitude of the assistance that could be rendered by the United Nations. The mission prepared a detailed provisional programme for these five countries and for Nigeria, Togo and Somalia, which was summarized in an annex to the report. These provisional programmes provided a good basis for a general assessment of the assistance required; in particular, they brought out as a common feature the basic need for the provision of intensive and accelerated training in all development activities. In the productive sectors of the economy, heavy emphasis was laid on the development of water and mineral resources. The Governments of newly independent countries also urged early assistance in carrying out a number of tasks which must precede the formulation of national policies and further international assistance, especially the organization and improvement of statistical surveys and services, cartographic surveying and mapping, short-term economic and social surveys, population census and demographic analysis including manpower surveys and projections, preliminary surveys of natural resources, and surveys of transport requirements.

In the light of these provisional programmes, which were estimated to cost $4.5 million, it was anticipated that an over-all amount of $10 million would be required to meet requests of new States which might be approved for implementation in the period 1961-1962.

In view of the gap between anticipated requests and probable resources, the Secretary-General felt it necessary to combine the appropriations already proposed to the Council for 1961 and 1962 so that a sum of $5 million could be made immediately available in 1961. He also stated that, in the event of major delays in fully implementing the programme for 1961, he would request (at the sixteenth session of the General Assembly) an appropriation for 1962 in an amount approximately equal to the balance of funds unspent and surrendered at the end of 1961.

By resolution 1527 (XV), the General Assembly decided to raise the level of technical assistance in newly independent and emerging States without affecting the assistance given to other Governments. It invited the Council to encourage and facilitate through the United Nations programmes, the Expanded Programme of Technical Assistance, the Special Fund and, where appropriate, through the regional commissions the provision of assistance to Governments for: surveys of natural resources; inquiries and reports regarding the needs for equipment and machinery for specific industries; preparation of economic development plans and study of investment requirements; and training in practical methods and techniques of economic development programming. The Council was requested to review in July 1961 progress made in implementing this resolution, taking as a basis the reports of the United Nations operational programmes and of the regional commissions. Under part V of the 1961 budget, the General Assembly provided an additional $3.5 million for financing technical assistance activities under the regular programme, the Secretary-General expressing his intention of requesting the reappropriation for 1962 of the balance unspent in 1961 to bring the total additional provision to a sum of $5 million for the two-year period. Under the Expanded Programme, the supplementary programme approved by the Assembly at the same session for 1961 provided an additional amount of $1,683,200 for United Nations technical assistance to twenty-one newly independent and emerging States in Africa.

In his report to the Council at its thirty-second session in response to Assembly resolution 1527 (XV), the Secretary-General indicated the extent to which the additional funds made available by the Assembly had been programmed or spent up to the end of April, described salient features in the requests received and gave brief descriptions of the sort of assistance requested by each country. The increasing responsibilities of ECA for technical assistance were also described.

Programming missions were undertaken early in 1961 by the Commissioner for Technical Assistance to assist new countries in Africa to familiarize themselves with services available from the United Nations, and to develop concrete projects and the order of priorities for their implementation. By the end of May 1961, technical assistance programmes had been established for Cameroun, Dahomey, Ivory Coast, Mali, Niger, Nigeria, Somalia, Togo and Upper Volta (i.e. the eight countries surveyed by the 1960 mission and also Mali).

As regards regional projects, by the end of May 1961, projects contemplated for countries of Africa for the period 1961-1962 totalled nearly $1 million. With the impetus given by ECA, a significant beginning was made in 1960 in the organization of a programme for the development of statistical services in the countries of the region. Along with the provision of advisory services by regional statistical experts stationed at Addis Ababa, arrangements have since been made for three sub-regional training centres for middle-grade statisticians, for a centre on household surveys for senior statisticians in Libreville and study tours on field survey techniques and on household surveys. In addition, the in-service training programmes for economists and statisticians at ECA's headquarters and in New York are being continued. Projects approved for implementation in 1961 include the first budget workshop for Africa to be held in September 1961, training courses for community development personnel, a self-help housing survey and an inter-agency survey mission on urbanization. (For details of other projects, see under the relevant section headings.)

(*b*) INTERNATIONAL ECONOMIC ASSISTANCE TO UNDER-DEVELOPED COUNTRIES

(i) *International flow of capital to under-developed countries*

At its thirtieth session in the summer of 1960, the Economic and Social Council had before it the report on *International Economic Assistance to the Less Developed Countries* prepared by the Secretary-General in response to Council resolution 662 A (XXIV). It covered the fiscal years ending 1958 and 1959 and described the statistical situation during this period as well as the relevant trends over the period since 1953-1954 in the field of public international economic aid and also the broader developments in international economic assistance to the less developed countries. The Council in its resolution 780 (XXX) of 3 August 1960 and the General Assembly in resolution 1522 (XV) of 15 December 1960 called for data and related information on the international flow of public and private capital, particularly to the less developed countries. The first report to be prepared under these two resolutions is a study on the international flow of capital for the period 1951 to 1959 which is now being prepared.

This report analyses movements of international loans and grants, official as well as private, by contributing and receiving countries. Data will be presented to indicate not only the average level for the period 1951 to 1959 but also the upward trend from 1951-1955 to 1956-1959. Particular attention is devoted to the shares of various regions in the total capital flow. The flow of international capital is also related to other relevant variables, such as the volume of foreign trade.

A separate report on public international economic aid, both bilateral and multilateral, containing data for the calendar year 1960 is also being prepared, under Council resolution 662 A (XXIV).

Another separate report, on the international flow of private capital for the period 1959-1960, was prepared for the Council's thirty-second session, under General Assembly resolution 1035 (XI) of 26 February 1957. It revealed that in 1959 the outflow of private long-term capital from the main capital exporting countries, after sustaining a drop in 1958, approached the record level set in 1957; much of the increase, however, appeared to have taken place among industrially developed countries. The report also compared and contrasted developments in the flow of private capital for direct investment and for portfolio investment.

(ii) *Promotion of the international flow of private capital*

A further report on "The Promotion of the International Flow of Private Capital" was prepared under Economic and Social Council resolution 762 (XXIX) and General Assembly resolution 1318 (XIII) for submission to the Council at its thirty-second session. It includes an examination of the potential role of credit insurance in accordance with Assembly resolution 1523 (XV).

The report contains a special technical report on the contractual arrangements whereby technical and managerial knowledge is transferred from industrialized countries to under-developed countries; a survey of the incentive measures designed to promote the international flow of private capital; and a discussion of national and international measures for the protection of foreign investments. The report is based on consultations with qualified persons in government and business, and on an inquiry which was sent to Member Governments as well as to specialized agencies and "appropriate inter-governmental and non-governmental sources".

The report indicates that Governments and private investors in capital-supplying and capital-receiving countries are showing increasing interest in the transfer of technical and managerial skills by means of various contractual arrangements, which include licence agreements, technical service agreements, engineering and construction contracts, management contracts and agreements for the exploitation of mineral resources. These arrangements may be made without investment of equity capital; in general, they are very flexible to meet the varying needs of the supplying and recipient enterprises and the policy desiderata prevailing in their respective countries. As domestic industry in under-developed countries expands its ability to absorb foreign technical knowledge under such contractual agreements, interest in their varied applications is likely to spread. It may, therefore, the report stated, be appropriate to devote continued attention to the study of the potentialities of these arrangements.

It was also found that Governments' interest in incentive measures which attract the attention of foreign private investors grows as progress in industrial development widens the fields in which foreign capital can become operative. In this connexion, Governments of capital-receiving countries are opening investment centres both at home and in the major capital-supplying countries, not only to provide information on domestic conditions, but also to bring to the attention of potential foreign investors specific areas for projects in which foreign capital and know-how are required and desired. Economic overhead facilities, including specifically industrial estates, and supplementary finance are made available by many Governments in order to reduce the financing burdens and to increase the operating efficiency of promising ventures. Tax concessions continue to be widely offered as relief and incentive measures both by capital-receiving and capital-supplying countries.

The report also found widespread interest in certain measures for the protection of foreign investment, for example the establishment of an international credit insurance scheme. The creation of such a scheme raises complex problems of rates, coverage, and the provision of the underlying credits, etc. A first approach to these problems may be through bilateral and regional schemes, as indicated by the interest in this subject shown both within the European Common Market and the United Nations Economic Commission for Europe. Perhaps the most difficult barrier to foreign private investment is that raised by the investor's apprehension of non-business risks. The existence of a development programme, specifying the role of foreign private capital, and the establishment of a modern framework of commercial, financial and administrative laws and institutions within which industry can operate efficiently and securely can substantially lessen these apprehensions. In addition, many Governments have proffered assurances, either unilaterally or through bilateral treaties, designed to reduce the likelihood of impairments of investors' rights and to assure them of an adequate recourse if such impairment should occur. Foremost among the latter assurances are national guarantee insurance schemes whose internationalization is currently being widely discussed. Proposals have also been made to adopt multilateral investment charters, negotiated on a regional or world-wide basis, which would codify basic assurances for foreign investors. But, the report pointed out, there are obvious difficulties in the way of achieving broad agreement in the form of a treaty commitment to a meaningful set of principles.

A more flexible approach avoiding the problem of agreeing on a uniform body of substantive rules would be, it was stated, to provide a independent international forum before which the investor and the Government could seek adjustment through conciliation and arbitration of disputes that might arise between them. The inquiry and consultations of the Secretary-General, it was stated, have confirmed the strong interest of Governments and private circles in the need for carrying out a systematic and co-ordinated study of the many proposals put forward, an analysis of the technical problems involved, and an authoritative survey of the views of Governments concerning the various solutions. As a result of such a study for which the United Nations appears to be widely considered as an appropriate forum, a realistic approach to setting up such international conciliation and arbitration facilities may, it was considered, become possible.

(c) UNITED NATIONS CAPITAL DEVELOPMENT FUND

The fifteenth session of the General Assembly returned to the idea of establishing a United Nations Fund for capital assistance to the under-developed countries. In its resolution 1521 (XV) of 15 December 1960, the General Assembly emphasized that the present flow of capital to the under-developed countries "is wholly inadequate in nature and scope". It cited the need for the United Nations "to supplement all existing efforts for capital assistance to the under-developed countries".

The General Assembly, therefore, decided in principle that a United Nations capital development fund should be established and arranged for the President of the General Assembly to designate, on the basis of equitable geographical distribution, twenty-five Member States to serve on a Committee to consider "all concrete preparatory measures, including draft legislation, necessary to that end". At the resumed fifteenth session, on 27 March 1961, the President named the following States to take part in the Committee: Argentina, Brazil, Burma, Canada, Chile, Czechoslovakia, Denmark, France, Ghana, India, Indonesia, Iraq, Italy, Ivory Coast, Japan, Netherlands, Nigeria, Pakistan, Peru, Sudan, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia.

In agreeing to participate in the Committee's work, six Members—Canada, France, Italy, Japan, the United Kingdom and the United States—attached certain qualifications to their participation. The discussion at the meeting of the Committee in April and May 1961 was therefore marked by certain difficulties. On the one hand, it was recognized that the representatives of the Governments concerned could not participate in the elaboration of certain kinds of preparatory measures; on the other hand, it was felt that the Committee as a whole could not but address itself to a variety of preparatory measures in view of its terms of reference, as set forth in General Assembly resolution 1521 (XV).

Accordingly, during the discussions in the Committee, two approaches to the question of further work by the Committee became evident. One group of members advocated the drafting of general principles. The other group was not inclined to draft these principles if they were to be linked to the legislation for the establishment of the capital development fund. The deadlock was resolved by both sides agreeing to general principles of international financing which might not necessarily be related to a United Nations capital development fund. A set of twelve principles were drafted which were later included in a resolution by the Committee. Among the principles recommended by the Committee are the following: assistance to under-developed countries should be oriented towards the diversification of their economies; assistance need not necessarily be limited to specific projects but can also be given in support of general development plans or to general development requirements; the contributions should ensure the provision of assistance on a long-term and continuing basis.

In addition to these general principles, a number of points concerning the voting system, conditions governing assistance, including the terms and form of assistance and the methods of raising contributions, came up for comment and discussion. While no decisions could be taken on these matters, many members agreed that any system of voting agreed upon should be such as to inspire the confidence of both the donor countries and the receiving countries.

The Committee decided to recommend to the General Assembly that its mandate be extended, and that it should also be instructed to prepare the necessary draft legislation taking into account "the general principles prepared by the Committee, the comments of the Economic and Social Council and the discussions at the sixteenth session of the General Assembly".

The Committee also recommended that the Secretary-General should be requested to prepare a report evaluating the capital requirements of under-developed countries and the role of existing arrangements and institutions in meeting such requirements. The report would also "define the field where additional effort is still required".

(d) USE OF FOOD SURPLUSES FOR ECONOMIC DEVELOPMENT

The General Assembly, in resolution 1496 (XV), recommended steps to encourage the "provision of food surpluses to food-deficient peoples through the United Nations system". The Food and Agriculture Organization of the United Nations was invited to establish procedures by which the largest practicable quantities of surplus food might be made available as a transitional measure against hunger, and to undertake a study of the feasibility and acceptability of additional arrangements, including multilateral arrangements under the auspices of FAO, for the mobilization of available surplus food and their distribution in areas of greatest need. At the same time, the Secretary-General was requested to report to the Economic and Social Council at its thirty-second session on the role which the United Nations and its related agencies might play in order to facilitate the best possible use of food surpluses for the economic development of the less developed countries.

In pursuance of this invitation, the Director-General of FAO prepared for submission to the Council at its thirty-second session a report entitled *Development Through Food—A Strategy for Surplus Utilization.* The Secretary-General also submitted a note to the same session, as requested by the Assembly.

In his note, the Secretary-General observed that if the United Nations and its related agencies were to facilitate the use of additional food for developmental purposes, they should be in a position effectively to assist Governments in their economic development programming and in planning how best to integrate the various elements of external assistance with the recipient country's own resources. The United Nations—by virtue of its research activities at Headquarters and in the regional economic commissions, and through the operations of technical co-operation programmes and the Special Fund—had been intensifying its work in the field of economic development programming. Thus far, however, the assistance from international organizations in this field had been somewhat limited. What was likely to be required, it was suggested, was an extension of United Nations action in the field of development programming in close consultation with FAO, IBRD, and, as appropriate, with other United Nations agencies. Although it was premature to propose the precise form for such arrangements, joint divisions of the United Nations and FAO, it was pointed out, already existed in the secretariats of each of the regional economic commissions, and an extension of this form of inter-secretariat co-operation at the Headquarters level might well constitute one part of the arrangements to be envisaged.

(*e*) LAND REFORM

In preparation for the further report on land reform, which the Secretary-General was requested by the Council (resolution 712 (XXVII)) to prepare in co-operation with the specialized agencies concerned and especially with FAO and to submit in 1962, a number of case studies have been carried out in different regions in co-operation with the regional economic commissions. A questionnaire has been circulated to Governments, and a consultant engaged jointly by the United Nations and FAO will consolidate information for the report.

By its resolution 1526 (XV), the General Assembly in December 1960 recommended, *inter alia,* that the Secretary-General continue to study the progress achieved by countries in this field, and that he should submit to the Council a comprehensive analytical study every three years, beginning in 1962. As requested by this resolution, a progress report on the implementation of earlier resolutions on land reform will be before the Assembly at its sixteenth session. The Assembly also invited the Secretary-General to consider, after appropriate consultations with Governments and specialized agencies, the possibility of undertaking studies on various factors affecting the system of land tenure.

(*f*) MEDIUM- AND LONG-TERM ECONOMIC PROJECTIONS

Increased interest has been expressed in advancing the work of the United Nations on economic projections. The Economic and Social Council in its resolution 777 (XXX) of 3 August 1960 requested the Secretary-General to intensify his activities in the field of economic, as well as social, projections and it authorized him to convene such meetings of experts from representative groups of national Governments as he deemed appropriate for the purpose of further evaluation of techniques of medium- and long-term projections. The matter also came up for discussion at the fifteenth session of the General Assembly. In resolution 1517 (XV), the Assembly drew attention to the special significance of economic projections for the formulation of long-term developmental policies and plans in under-developed countries. It emphasized the usefulness of making available even tentative data on the medium- and long-term prospects for the production and exports of the under-developed countries in the light of the longer-term trends prevailing in the world economy. It also requested the Secretary-General to prepare, in consultation with appropriate agencies, a study containing tentative medium- and long-term projections of the prospective international demand for, and supply of, selected major primary commodities at present exported by the under-developed countries.

An informal inter-agency meeting in July 1960 on the subject of projections, sponsored by the Sub-Committee on Commodity Problems of the ACC, was chiefly concerned with questions of methodology. The Secretary-General has also appointed several experts to co-operate with the Secretariat in reviewing preliminary models for projections of world economic development and trade and to make recommendations regarding future work in this field. A meeting of these experts will be convened later this year and, in the meantime, preliminary studies are being prepared by the Secretariat.

(*g*) INDUSTRIALIZATION AND PRODUCTIVITY

The Secretary-General reported to the Economic and Social Council at its thirty-first session on the progress of the work programme on industrialization. The report described the stage of implementation of the following research projects: adaptation of industrial processes and equipment to the needs of newly developing countries; investment and current in-put data in industrial programming; evaluation of industrial projects; study of industrial growth; projection of longer-run demand for industrial equipment in under-developed countries; application of operations research in industrialization problems of newly developing countries; industrial estates; fiscal and financial aspects of industrial development; and social and demographic aspects of industrialization, with reference to urbanization, community development and evaluation and utilization of census data in the preparation and implementation of industrialization plans. The progress report also described Secretariat activities for providing substantive support to United Nations field operations in industry.

In response to a request by the Council (resolution 709 A (XXVII)), a report entitled *Establishment of Industrial Estates in Under-developed Countries* was published. This publication dealt with the role of industrial estates in policies of industrialization with special reference to promotion of small-scale industries.

The fourth issue of the *Bulletin on Industrialization and Productivity* was published. It contained a number of studies on subjects on which the Economic and Social Council and the General Assembly had placed special emphasis: use of models in programming; programming techniques for economic development; use of industrial equipment in under-developed countries—problems of maintenance, repairs, replacement and obsolescence; and an article on choice of techniques which complemented studies on capital intensity published in previous issues of the *Bulletin.* The issue also contained articles on in-plant training of graduate engineers and on health problems of industrialization and a note on recent United Nations activities in industrialization.

In compliance with Council resolution 757 (XXIX), the Secretary-General submitted to the Committee for Industrial Development, at its first session, proposals for a longer-term and expanded programme of work in the field of industrialization. The proposals related to research projects, working parties, seminars and related meetings in the following main fields: (1) industrial development programming and policies; (2) industry studies—economic and technological aspects; (3) training and management; (4) problems of small-scale industries; and (5) fiscal and financial problems. The proposals were also concerned with activities in support of United Nations field operations in industry. The Secretary-General submitted at the same time a statement of financial implications of his proposals.

Pursuant to resolution 792 (XXX), section I, he also presented suggestions for concerted action in the field of industrialization. In addition, the Secretariat submitted to the Committee, at its request, notes on the activities relating to industrialization in the work programmes of the regional economic commissions; statements on the relevant activities of their respective organizations were made by the representatives of the ILO and UNESCO. Preliminary versions of certain research studies undertaken by the Secretariat were made available to the Committee for information purposes.

In its report, the Committee for Industrial Development considered that the studies suggested in the Secretary-General's proposals were important and well chosen, and that the proposals constituted an expansion in the necessary direction of the work accomplished so far by the United Nations at Headquarters and by the secretariats of the regional economic commissions. The Committee recommended some additional projects and activities and also made recommendations regarding the orientation and emphasis of the projects; in this connexion it recommended, in a number of cases, changes in the time-table of the programme.

The Committee recommended that an Industrial Development Centre be established within the Secretariat. The Centre would undertake the collection, analysis and dissemination of experience gained in technical assistance programmes in the field of industrialization; it would also provide a mechanism whereby the United Nations, the specialized agencies and the International Atomic Energy Agency would obtain full information about each other's activities in this field and could take steps to co-ordinate them.

The Committee set up an inter-sessional working group to help it to carry out its tasks, including those related to the work of the Industrial Development Centre.

The Committee stressed the need for ensuring that material on industrialization published by the United Nations, especially the *Bulletin on Industrialization and Productivity*, should be widely disseminated and should, in particular, reach those directly concerned with industrial development in under-developed countries.

At its thirty-first session, the Council adopted resolution 817 (XXXI) in which it approved the Committee's report, endorsed the programme of work and the priorities set out therein and requested the Secretary-General to take the necessary steps to implement the programme and other recommendations for action by the United Nations.

(*h*) PROPOSED UNITED NATIONS CONFERENCE ON SCIENCE AND TECHNOLOGY

In May 1961, the United Nations Scientific Advisory Committee made recommendations for calling a United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas. The Conference would aim at taking stock of the progress achieved and stimulating and accelerating development through the application of the latest advances of science and technology. It would, in particular, assist in identifying areas in which the application of research to the needs and conditions of under-developed countries could be promoted.

The Conference, it is proposed, would consider such questions as those relating to scientific and technological training, research and education, the development of agriculture and of natural resources, the acceleration of industrialization, new techniques in communications and new developments relating to health and nutrition.

The Committee recommended that the Conference be held in August 1962 under the auspices of the United Nations, and with the co-operation of the specialized agencies. The Committee's report will be considered by the Economic and Social Council at its thirty-second session.

(*i*) NATURAL RESOURCES

The interrelated problems of water resources development have been kept under continuous review by the Water Resources Development Centre, which is responsible for co-ordinating the work in this field of the various United Nations organizations concerned. The Seventh Inter-Agency Meeting on International Co-operation in the Development and Utilization of Water Resources—an annual meeting at the working level which advises on the Centre's general policy—was held in Paris early in July 1960, the participants being the United Nations and the specialized agencies concerned.

The Centre has in progress several studies pursuant to directives of the Economic and Social Council, particularly resolution 759 (XXIX) of 21 April 1960. These include a study on the cost and value of water for different uses, one on demineralization of saline water, and one on cost-benefit analysis and other criteria and standards for water development. In addition, the Centre is engaged in country surveys of water resources and needs. These surveys, which reflect and are closely related to the expanding operational activities of the United Nations, include field work, as in the case of the first country mission dispatched by the Centre (to Lebanon, in March 1961).

A study entitled *Large-Scale Ground-water Development* was published in the spring of 1961, being one of a series of studies jointly undertaken by the various organizations participating in the activities of the Water Resources Development Centre. It is addressed primarily to administrators responsible for comprehensive development of groundwater in extensive areas but is supplemented by annexes of a more technical nature. The study sets out the basic considerations in groundwater use—such as availability of groundwater, quality and quantity of water and allocation of supplies—and reviews the stages of groundwater development; economic and financial aspects; organization and administration; and groundwater legislation.

Preparations are in progress to hold an interregional seminar on the techniques of petroleum development, pursuant to Council resolution 758 (XXIX). The seminar will take place at United Nations Headquarters, early in 1962.

The question of petroleum resources was also considered by the General Assembly at its fifteenth session. A draft resolution submitted by Brazil and the summary records of the discussion were transmitted to the Economic and Social Council at its resumed thirtieth session with the recommendation that they be forwarded to the Committee for Industrial Development. Accordingly, the Committee included the question of the petroleum industry in less developed countries on the agenda of its first session, convened on 27 March 1961. The Committee recommended to the Council that it request the Secretary-General to make a study of the methods of financing and capital requirements of petroleum exploration in less developed countries and to make the study available to the Committee at its second session (in February 1962). At its thirty-first session, the Council approved making this study (resolution 817 (XXXI), endorsing the programme of work recommended in the Committee's report).

A progress report by the Secretary-General on the preparations for the United Nations Conference on New Sources of Energy was considered by the Economic and Social Council at its thirtieth session. The observer for Italy offered to provide host facilities for the Conference. The Council approved the proposed arrangements and accepted the offer of the Government of Italy (resolution 779 (XXX)). The Conference will be held at Rome, from 21 to 31 August 1961, and is expected to have an attendance of some 500 scientists, technicians, economists and administrators. It will examine, in the light of some 250 papers distributed to participants in advance, the practical problems and experience in the utilization of solar energy, wind power and geothermal energy, with special reference to the problems of the less developed countries.

In addition, the Secretariat is engaged, on a continuing basis, in the study of methods of economic appraisal of energy resources (pursuant to Economic and Social Council resolution 653 (XXIV) of 26 July 1957).

(*j*) TRAINING PROGRAMME FOR AFRICAN ECONOMISTS

The training programme was initiated at United Nations Headquarters in November 1957 through technical assistance fellowships awarded for a period of six months. The programme aims at providing training for government officials, either economists or civil servants whose work is closely related to economic activities, and thereby to assist African Governments in establishing a nucleus of trained economists in the civil service, especially in the field of economic development. It should enable the participants to gain experience in international economic problems, methods of international assistance, the working of the United Nations and its various organs and agencies, with particular attention given to those activities related to economic development problems in Africa, or in countries with similar economic conditions.

A fourth programme was held in both English and French from 19 September 1960 to 3 March 1961. Nineteen African officials nominated by their Governments were selected from among the candidates, in close collaboration with the Economic Commission for Africa. They were two each from Guinea, Libya, Nigeria, Somalia, the Sudan, Togo, and the United Arab Republic (Egyptian Region), and one each from Ghana, Liberia, Morocco, Tunisia and the United Arab Republic (Syrian Region).

Since 1947, the programme's curriculum has developed in such a way as to include the study of national economic planning, and related fields—such as the compilation of national income statistics, fiscal policies and investment incentives, industrialization, commercial policy, the protection of industries, and the educational training and social aspects of economic development. In each of the programmes, the participants are given the opportunity to visit at least two countries actively in process of economic development, for example Puerto Rico, Jamaica, and, during the fourth programme, the development projects of southern Italy.

An additional feature of the fourth programme was, at its conclusion, a week's briefing at the secretariat of the Economic Commission for Africa in Addis Ababa. The participants were introduced to the Commission's work and activities, particularly in terms of its possible assistance to African countries in the field of economic development.

It is intended to continue this training programme, and invitations were sent to Governments to nominate candidates for the fifth programme which is to take place at United Nations Headquarters from September 1961 to February 1962.

3. Development of international economic co-operation

The Economic and Social Council held a series of meetings at the ministerial level during the thirtieth session, and a summary of the discussions which took place were included in the Council's report to the Assembly at its fifteenth session.

On 3 August 1960, the Council adopted resolution 782 (XXX) by which it recognized that such meetings, held from time to time under appropriate conditions and circumstances, might contribute to the advancement of the Council's objectives and invited members to inform the Secretary-General of their views regarding the conditions and circumstances under which it might be useful for the Council to provide for a further meeting at the ministerial level.

The Secretary-General submitted the replies he received in answer to this request to the Council at its thirty-first session. Most members, both in their replies and in their statements in the Council, gave support to the concept of meetings at the ministerial level, although some considered that they should be held at longer intervals and only after careful preparation. It was suggested that they should be focused on one or two topics where substantial progress could be made. On 28 April 1961, the Council adopted resolution 818 (XXXI) by which it decided to consider at its resumed thirty-second session preparations to hold a meeting at the ministerial level at its thirty-fourth session (summer 1962).

A second report on ways and means of promoting wider trade co-operation among States was prepared for submission to the Council at its thirty-second session in accordance with General Assembly resolutions 1421 (XIV) of 5 December 1959 and 1519 (XV) of 15 December 1960. The first report, which was before the Council at its thirtieth session, dealt with trade relations between the centrally planned and the market economies. The second report contained a review of trade relations between the under-developed and industrially advanced economies. This report first analysed the long-term trends and short-period fluctuations in trade between the two groups of countries and noted the significance of these trends and fluctuations for the economic development of the under-developed countries. Policies of the industrial, centrally planned and under-developed countries affecting the long-term trends in trade of primary commodities were then reviewed; particular attention was paid to the policies of industrial countries relating to trade in agricultural products and to the recommendations which have been made at the international level for reduction of the obstacles to trade in these products. Emphasizing the prospective importance of an expanding flow of exports of manufactures from the under-developed countries, the report next discussed the current policies of developed and under-developed countries relating to such trade in manufactures. In the concluding sections, after a review of international action to mitigate the short-period instability in primary commodity trade by means of commodity agreements, recent proposals to offset the adverse effects of instability in commodity trade through international compensatory action were noted.

4. International commodity problems

International markets for primary commodities have continued to be characterized by sharp fluctuations and also, in a number of cases, by persistent imbalances reflecting longer-term factors. Among other consequences of these tendencies, the unsettling changes in the export earnings of primary exporting countries—particularly those which are less developed—present a problem of special concern to Governments and international organizations. Solutions have continued to be sought through inter-governmental consideration and action on a commodity-by-commodity basis. Consideration has also been given to the possible development of other international measures designed to mitigate the adverse effects of large commodity fluctuations, particularly on the economies of countries heavily dependent on the export of primary commodities. A better comprehension of commodity problems and their possible solution is being furthered by systematic study and review.

At the United Nations Tin Conference of 1960, a second International Tin Agreement was negotiated and signed on behalf of countries representing a major share of world production and consumption. Subject to the necessary ratifications or acceptances, the agreement was scheduled to enter into force for a period of five years on 1 July 1961, the date at which the first International Tin Agreement expires. The agreement incorporates a stabilizing mechanism similar to that contained in the first Agreement providing for the co-ordinated operation under prescribed conditions of a buffer stock and of export control.

The International Lead and Zinc Study Group, which held its first session in January and February 1960, continued during 1960 the voluntary curtailments of commercial offerings of lead which had been announced by the Lead and Zinc Committee in 1959; in early 1961, this action was replaced by voluntary curtailments in production by certain participating countries. Curtailments of commercial offerings of zinc by participating countries were abandoned early in 1960 and not reintroduced.

In April 1961, the Cocoa Study Group of FAO arranged for the preparation of a draft international cocoa agreement. It was also agreed that interim action should be considered if it was thought necessary before such an agreement could be brought into force.

The international councils concerned with olive oil, sugar, tin and wheat continued to administer the agreements with which they are concerned, and various commodity committees and study groups continued to survey the situation in particular commodity markets. The function of co-ordinating the activities of the individual commodity study groups and councils continued to be performed by the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA). In its *1961 Review of International Commodity Problems*, the Committee reviewed inter-governmental consultation and action on individual commodities during the period. It also offered certain observations, based on its fourteen years of experience of inter-governmental consultation and action on individual commodity problems, regarding the principles of international action as well as inter-governmental commodity agreements, including the considerations affecting governmental attitudes towards participation in such agreements. At the request of the Commission on International Commodity Trade and the Interim Co-ordinating Committee, the Secretary-General has continued to issue periodically a memorandum entitled *Recent Commodity Developments*.

The *Commodity Survey, 1960* reviewed current developments on specific markets and assessed recent trends in the world commodity situation. It pointed out that for primary commodities as a group, 1959/1960 was characterized by record levels of consumption, production and trade. With higher personal incomes in most countries and widespread increases in gross domestic expenditure, demand was generally well above 1958/1959 levels. Consumption of foodstuffs was stimulated to some extent by a further decline in prices and an increase in the volume sold on concessionary terms, while in the case of raw materials, absorption, which is directly related to the rate of activity in manufacturing industry, was appreciably higher. Unlike consumption, world production of the major commodities moving in international trade increased less between 1958/1959 and 1959/1960 than in the preceding period, largely because of a slackening in the rate of growth of food production, particularly wheat and sugar. The increase in international trade between 1958/1959 and 1959/1960 represented an acceleration of the trend in the earlier period, a vigorous expansion of imports into western Europe and Japan being the major contributory factor. All major categories shared in the recent increase and while a substantial proportion of the increase in shipments originated in the United States, the export quantum of the primary exporting countries rose by over 7 per cent between 1958/1959 and 1959/1960 compared with only 4 per cent in the previous period.

The *Survey* pointed out that, while these developments resulted in a rise in average commodity prices between 1958/1959 and 1959/1960, the slow recovery in prices which began early in 1959 was not maintained in 1960: the price index of primary commodities in international trade levelled out after the first quarter and began to drift downwards again. This reflected partly the tendency for the growth in manufacturing output to slacken measurably after a vigorous but short-lived recovery and partly the continuing pressure of accumulating surpluses on a number of markets for foodstuffs. The *Survey* concluded that although it was only recently that the imbalance between consumption and production had been dramatized by large surpluses and idle capacity, the genesis of the problem lay in the earlier post-war years when relatively high prices and rapidly growing demand stimulated investment in facilities to produce food, fuels and raw materials.

The feasibility of establishing machinery within the framework of the United Nations to assist in offsetting the effects of large fluctuations in commodity trade on balances of payments was the subject of a report, *International Compensation for Fluctuations in Commodity*

Trade, prepared by a group of experts appointed by the Secretary-General under General Assembly resolution 1423 (XIV). In accordance with the General Assembly's request, the report was transmitted to the Commission on International Commodity Trade at its ninth session to assist it in considering compensatory financial measures, and also to the thirty-second session of the Economic and Social Council, which has been requested to transmit the report with its comments to the General Assembly.

Before considering the possible need for new international machinery, the group of experts examined the relevance of existing sources of international liquidity. The further development of long-term loans and grants which are compensatory in effect was also examined. The International Monetary Fund, it was observed, was already engaged in compensatory financing of importance to some of its members and, with its recently enlarged resources and increasing experience in dealing with the problems of primary producing countries, was capable of considerably augmenting this activity. The experts offered several suggestions to this end; however, bearing in mind both the severity of the problem likely to be faced by many primary producing countries and the basic nature of the Fund, they doubted whether the Fund could completely meet the need for measures to offset instability in export earnings. They therefore considered other possible instruments of international compensatory action. The basic object of such action, it was suggested, should be to provide insurance against a decline in export proceeds, however defined, due to instability in commodity trade. This conception represented a further development of ideas advanced in several reports submitted previously to the United Nations. Of various possible arrangements to give financial compensation for declines in export proceeds, those regarded by the experts as most feasible presuppose a willingness of advanced countries to contribute, on the understanding that their direct benefits would not equal their contributions. A central "development insurance fund" was envisaged into which all participating countries would pay contributions and against which members would make financial claims that would be paid automatically in stated circumstances.

Owing to the short interval between the receipt of the experts' report and its ninth session, the Commission on International Commodity Trade found it possible to conduct only a limited exchange of views on the report and on the subject of compensatory financing in general. In anticipation of a thorough consideration of the subject at its tenth session in 1962, the Commission requested the Secretary-General, with the advice of the relevant international agencies, to prepare a study on a number of matters relating particularly to the "insurance proposals" put forward in the experts' report. It also decided to place on the agenda of the joint session to be held in 1962 with the Committee on Commodity Problems of FAO the subject of the application of international compensatory financing measures to individual commodities.

In considering measures to deal with fluctuations in primary commodity markets, the Commission on International Commodity Trade at its ninth session had before it a report containing the text of additional replies by Governments to a questionnaire transmitted by the Secretary-General in the preceding year, bringing the number of replies received up to fifty-two. It also reviewed considerations affecting Governments' attitudes towards participation in international commodity agreements and had before it in this connexion the discussion of the subject in the *1961 Review of International Commodity Problems.*

5. Fiscal and financial problems

(*a*) BUDGETARY PROBLEMS

The Secretariat's studies on the improvement of budgetary techniques and practices which had hitherto concentrated on the economic and functional reclassification of budget data, were during the current year directed more particularly to other problems of budget management. A draft *Manual for Programme and Performance Budgeting* was prepared as a guide to the use of these advanced techniques for measuring the results of government programmes in real or physical terms.

The third regional Budget Workshop for Asia and the Far East, which took place in Bangkok, Thailand, from 17-26 August and in Manila, Philippines, from 28 August to 2 September 1960, dealt especially with the problems of programme and performance budgeting, using the draft Manual as its basic working paper.

Following the session in Bangkok, the participating experts, who came from twenty countries, visited Manila to observe the operations of the Philippine budget system, which is based on programme and performance techniques. The report of the Workshop, published in May 1961, recommended, *inter alia,* that the Secretariat prepare an annual review of developments in budget reclassification and management in the region, undertake country case studies on the application of performance budgeting and continue its studies of improved budgetary techniques. The Workshop also noted the further progress made by the countries in the region in the field of budget reclassification. The Economic Commission for Asia and the Far East, at its eleventh session held in March 1961, in New Delhi, India, discussed this report and in endorsing its recommendations proposed a fourth workshop to be held in 1963 or 1964.

Preparatory field investigations have been undertaken and documentation is being prepared for the first regional Workshop on Problems of Budget Reclassification and Management in Africa to be held in Addis Ababa in September 1961.

The public finance chapter of the *United Nations Statistical Yearbook* for 1960 contained information on major components of government expenditures, receipts and public debt for fifty-eight countries. The major revision of these public finance tables, begun in 1958, continued and the new economic-functional classification in now shown for twenty-one countries. This reflects the substantial progress the Member Governments have made in the reclassification of government transactions.

There have been increased requests for technical assistance in this field during the year, particularly from the newly independent countries in Africa. Long-range assistance to these countries includes advice on budget management in Ghana, and assistance in the preparation of the first consolidated budget of Somalia on the basis of the separate budgets of its constituent former territories. A new form of technical assistance has been the inclusion of budget experts in such over-all economic missions as the ECLA advisory groups established in Bolivia, Colombia and Venezuela.

(*b*) Tax problems

To keep up to date the information on the rapidly expanding network of agreements for the avoidance of double taxation and the prevention of fiscal evasion, three supplements to volume IX of the series *International Tax Agreements* were distributed, containing the texts of fifty-four recent agreements which had been concluded up to July 1960. To the same end, a first supplement will be issued in 1961 to volume VIII of the series entitled *World Guide to International Tax Agreements,* which contains country tables indicating the current status of all tax agreements.

Particular attention continues to be given to the use of tax measures affecting foreign investments in underdeveloped countries. A survey of such recent measures was included in the further report by the Secretary-General on the promotion of the international flow of private capital submitted to the Economic and Social Council at its thirty-second session (see section 2 (*b*), above).

Two new volumes of the World Tax Series entitled *Taxation in Sweden* and *Taxation in India* were issued in the past year. This series is prepared by the Harvard University Law School's International Program in Taxation, in consultation with the United Nations Secretariat.

Technical assistance rendered in the field of taxation continued to be addressed mainly to the task of adjusting tax systems to development needs and policies and to strengthening the structure and operation of tax administration. Training of government officials was provided through fellowships for study abroad or under systematic training programmes carried out in their own countries. Recently, technical assistance has been characterized by substantial requests from newly independent countries often requiring long-range assistance, e.g. in the establishment of land valuation schemes as a basis for the introduction of effective real estate taxation.

(*c*) Financial problems

Technical assistance services in the financial field during the period related chiefly to the regulation and operation of commercial and investment banks, insurance companies and other financial institutions. For the first time, assistance was given in setting up a permanent re-insurance company. Another novel assignment was carried out by two experts who gave advice in conducting savings surveys of household and unincorporated enterprises. Under the OPEX (Operational and Executive Personnel) scheme, management personnel was provided to a number of countries for banks and development corporations.

Training programmes for government officials in financial subjects included fellowships in central bank policies and management at the annual courses of the Latin American Centre for Monetary Studies (CEMLA), in-service training in commercial banks of advanced countries, and fellowships in insurance operation and management, which included academic courses as well as practical training with large insurance companies.

(For the reports prepared during the period regarding foreign investment questions, see above, section 2 (*b*) of this chapter.)

6. International co-operation on cartography

In accordance with Economic and Social Council resolution 715 A (XXVII), a small Group of Experts on Geographical Names was constituted, and met in New York from 20 June to 1 July 1960. It studied the technical problems of domestic standardization of geographical names and the desirability of holding an international conference on the subject and of the sponsoring of working groups based on common linguistic systems. The report of the Group was considered by the Council at its thirty-first session.

By its resolution 814 (XXXI) of 27 April 1961, the Council recommended Governments of Member States, *inter alia,* to implement the Group's recommendations as appropriate and requested the Secretary-General to provide clearing-house functions for collecting and supplying information on the standardization of geographical names carried out by Member States and to assist, when requested, the Member States in establishing national organizations for standardizing geographical names and in setting up working groups using the same linguistic system.

In pursuance of the Economic and Social Council resolution 761 B (XXIX), the Secretary-General submitted to the Council at its thirty-first session a report on his consultations with Governments of the members of the Economic Commission for Africa, interested specialized agencies and other interested international organizations on the convening of a United Nations regional cartographic conference for Africa. The report was based on comments received from twenty-four Governments, four specialized agencies and three other international organizations, most of which indicated their support of, or interest in, calling such a conference and made proposals for the agenda and suggestions regarding the arrangements for the conference. The Council requested the Secretary-General, in co-operation with the Executive Secretary of ECA and in consultation with the specialized agencies, to take the steps necessary to convene the conference, not later than 1962 (resolution 816 (XXXI)). Consultation with the Executive Secretary of ECA has revealed that the second quarter of 1963 would be a more desirable time.

As requested by Council resolution 761 C (XXIX), the Secretary-General reported to the Council the results of his consultations with the Governments of countries adhering to the conventions on the International Map of the World on the Millionth Scale (IMW), regarding the convening, not later than 1962, of an international technical conference to review and revise, as necessary, the specifications which govern the preparation and publications of the IMW sheets. The replies received from thirty Governments and four specialized agencies indicated a general agreement with the suggestion of holding the proposed conference, and the Government of the Federal Republic of Germany offered to make the technical facilities available, if the Council decided to call the conference in Bonn. In its resolution 815 (XXXI), the Council asked the Secretary-General to take the necessary measures for an international technical conference on the International Map of the World on the Millionth Scale to be held in Bonn in the second half of 1962.

7. Transport and communications

As requested by the Economic and Social Council in resolution 724 B (XXVIII) of 17 July 1959, the Secretary-General presented to the Council at its thirty-first session a report on the development of international travel and tourism.

The report was prepared in collaboration with the International Union of Official Travel Organisations (IUOTO), a non-governmental organization in category B consultative status with the Council, after consultation with UNESCO, ICAO, WHO, IMCO and the International Chamber of Commerce, a non-governmental organization in category A consultative status. A questionnaire dated 10 August 1960 was circulated to the Governments of the eighty-two States which were Members of the United Nations at that time and the answers were included in the report. They served to bring up to date the technical studies formerly made on those subjects.

The report indicated that further action in the field on the inter-governmental level should be directed primarily to encouraging the expansion of international travel by simplifying and standardizing as much as possible the documentary and other formalities applicable to international tourists, by providing additional physical facilities to handle growing traffic, by increasing the scope and effectiveness of official promotional activities, and by expanding the United Nations technical co-operation programme as regards tourism in countries in the process of development.

As the majority of Member Governments which answered the questionnaire expressed themselves in favour of an early world-wide conference of a technical nature to deal primarily with frontier formalities, the report recommended the appointment of a small committee of experts to study the question of holding a conference.

On 27 April 1961, the Council unanimously adopted resolution 813 (XXXI) which requested the Secretary-General, in consultation if necessary with a group of not more than seven experts, to prepare recommendations concerning the nature, scope and location of the conference on international travel and tourism, including a provisional agenda, for the consideration of the Council at its thirty-third session. The resolution further requested him to call the conference as soon as possible, but not later than the autumn of 1963; recommended that he consult with the appropriate specialized agencies, interested inter-governmental organizations and competent non-governmental organizations in consultative status; and requested Governments which had not replied to the questionnaire to do so as soon as possible.

Three additional States became parties to the 1949 Convention on Road Traffic, bringing the total to forty-six by 10 May 1961. Twenty-five States were parties to the 1949 Protocol on Road Signs and Signals. One additional State became a party to each of the two conventions and protocol opened for signature at the Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism (New York, 1954), so that on 10 May 1961 there were thirty-six States parties to the Convention concerning Customs Facilities for Touring, thirty-one States parties to the Additional Protocol thereto relating to the importation of Tourist Publicity Documents and Material, and thirty-four States parties to the Customs Convention on the Temporary Importation of Private Road Vehicles.

Studies were made concerning transport in relation to economic development, and substantive support was given to technical assistance in sea and inland transport.

8. Statistical developments

(*a*) Improvement of national statistics

Over the past few years, there has been a shift of emphasis from Headquarters to activities in the field, in line with the requirements of statistical developments. This shift has taken the form of such arrangements as are needed for regional conferences, regional statisticians, regional advisory teams and seminars.

Africa, Asia and the Far East and Europe now have regional conferences of statisticians, where problems common to the region are discussed and international standards are adapted to regional needs. The Inter American Statistical Institute co-operates with the United Nations Secretariat with respect to Latin American activities similar to those carried out by the regional conferences.

The eighth Conference of European Statisticians was held from 26 to 30 September 1960. Its subsidiary groups met as follows: Group of Rapporteurs on Comparisons Between Systems of National Accounts in Use in Europe, 20-24 June 1960; Working Group on Statistical Activities of ECE Committees, 4-8 July 1960; Working Group on Industrial Statistics, 13-21 February 1961; joint (with FAO) Expert Group on Index Numbers of Agricultural Production, 6-16 March 1961; Working Group on Electronic Data-Processing Machines, 26 April-2 May 1961. The second Conference of African Statisticians (the "youngest" of the regional conferences) is to begin on 26 June 1961. Its Working Group on the Treatment of Non-Monetary (Subsistence) Transactions Within the Framework of National Accounts met from 27 June to 2 July 1960 and its Working Group on the Uses of National Accounts in Africa from 10 to 12 January 1961. Following the third Conference of Asian Statisticians (April 1960), its Working Group on Training of Statisticians met from 8 to 18 November 1960.

By 1960, a regional statistician was attached to each of the regional economic commissions (pursuant to Economic and Social Council resolution 622 A (XXII)). These regional statisticians are assisting countries in the development and improvement of their statistical services by helping to formulate requests for expert assistance, giving on-the-spot advice and assisting in the establishment of training activities. Closer liaison is being established between the regional statisticians and technical assistance experts under technical assistance country programmes.

The United Nations FAO team of three regional census (population and agriculture) advisers continued its activities in Asia and the Far East, making 35 visits to 15 countries in 1960. A regional adviser on economic statistics visited 13 countries in Africa during 1960. In 1961, plans were made for a United Nations team of five regional advisers to work in Africa; three of the members (specialists in demographic statistics and sampling techniques) had taken up their duties by mid-1961.

In addition to the regional advisers mentioned above, 53 experts gave statistical advice to 26 countries under the technical assistance programme. Twenty-seven fellowships were awarded to nationals of 15 countries for study abroad (not including fellowships for participation at the seminar on industrial statistics for Latin America and the international training centre on vital and health statistics for the Western Pacific Region (see below)).

The Statistical Center of the University of the Philippines was provided with the services of a principal adviser and a lecturer during the period under review. In addition to the regular programme (enrolment of over 125 for each semester of the 1960-1961 academic year), the Center offered two special courses—one for 39 participants and one for 35. The Academy for Statistics in Djakarta (established in 1958) had the services of an adviser/lecturer during 1960-1961. At the beginning of 1961, the Academy had approximately 135 students enrolled in the three classes. The first three recipients of the degree of Bachelor of Statistics served as assistant teachers in 1961.

During the period under review, technical assistance to Africa was greatly intensified. Detailed statistical programmes were worked out for many of the newly independent nations; during the first half of 1961, a number of advisers and experts started their assignments. Plans were made for holding five regional training centres, all starting in 1961; these are in addition to the training course already held in Accra (see below).

From March to June 1961, a West African training centre in population census techniques was held in Accra, organized by the Government of Ghana with the co-operation of the United Nations, with 10 participants (from Liberia, Nigeria and Sierra Leone). The objective was to give thorough training in all phases of census work in order to enable the participants to plan and carry out censuses in their own countries. The training was both theoretical and practical and included taking an experimental census. This centre followed the pattern established in 1958 by the regional census training centres for Latin America and for Asia and the Far East.

From 5 to 9 September 1960, a seminar on use of vital and health statistics for genetic and radiation studies was held in Geneva, organized by the United Nations and the World Health Organization, with 60 participants. This seminar brought together for the first time human geneticists, radiation epidemiologists, civil registrars, vital statisticians and health statisticians for an exchange of information on the records and vital and health statistics needed (and how best to obtain them) for studies of genetics and of the effects of radiation in human populations.

From 10 to 28 October 1960, a seminar on industrial statistics for Latin America was held in Santiago, Chile, sponsored by the United Nations and the Inter American Statistical Institute, with 44 participants. This was a series of detailed technical discussions of the various aspects of planning, programming and carrying out inquiries into industrial establishments. This seminar was in preparation for the 1963 World Programme of Basic Industrial Statistics (see below).

From 17 October to 25 November 1960, an international training course on vital and health statistics for the Western Pacific Region was held in Manila, sponsored by the United Nations and WHO, with 41 participants. The general objective was to assist countries and territories in the region in improving their civil registration and vital and health statistical services so that the resultant records and statistics might better fulfil national needs and promote international comparability.

A project on income distribution of Puerto Rico is being jointly undertaken by the Secretariat and the Puerto Rico Planning Board. Plans were made for tabulations of the distribution of Puerto Rican families by size of income and for cross-tabulations of families by income size and various other socio-economic characteristics. A similar joint project to establish an input-output matrix for another country was completed during the year.

An important function of the Secretariat is the establishment and revision (as the need arises) of standard classifications and definitions.

At the request of the Statistical Commission in 1960, the Secretary-General published the *Standard International Trade Classification, Revised,* which for the first time made it possible for countries to base both customs nomenclature and statistical classification on a single list of goods. The original (1950) Classification was used in 1961 by 85 countries and territories, accounting for approximately 80 per cent of world trade. In accordance with the recommendation of the Commission, Governments are making the revisions required by the *SITC, Revised*; beginning with data for 1961, most countries will have incorporated the revisions.

The *International Standard Industrial Classification of All Economic Activities (ISIC)* is known to have been used by 59 countries as a basis for formulating their industrial classifications; 20 additional countries are known to have national classifications which coincide closely with the ISIC. Since 1952, 80 countries have undertaken periodic inquiries into mining and manufacturing, many stimulated by the Statistical Commission's recommendations.

Pursuant to the Statistical Commission's request in 1960, the Secretary-General issued a revision of the *International Recommendations in Basic Industrial Statistics* as a guide to countries in developing these statistics and in compiling internationally comparable data. Also at the Commission's request, the Secretary-General issued *International Recommendations on the 1963 World Programme of Basic Industrial Statistics.* So far, approximately 80 countries have indicated their intention of participating in the 1963 World Programme, launched in 1958. In preparation for the Programme, a Latin American seminar on industrial statistics was held in 1960 (see above) and one has been planned for Asia and the Far East.

Between 1955 and mid-1961, over 150 censuses were taken under the 1960 World Population Census Programme; fifty to sixty more are anticipated by the end of 1964.

In addition to establishing and revising standards, the Secretariat has over the years prepared technical studies and handbooks on a variety of statistical subjects. The latest of these, *A Short Manual on Sampling, Vol. I, Elements of Sample Survey Theory,* was issued in 1961. Part I consists of a description, discussion and comparison of theoretical concepts and processes; part II is principally a set of examples illustrating a wide variety of processes, prefaced by the formulae used for estimating the mean (or aggregate), and the relevant sampling error variance, and indicating in some detail the working of the data.

A Bibliography of Inquiries and Selected Statistical Series, Industrial and Distributive Units was issued by the Secretariat in 1960, and work has begun on a revised version of the bibliography.

A report on the definition and measurement of levels of living, along with the comments and suggestions of the Statistical Commission at its eleventh session in 1960, was considered by the inter-agency Working Party on Statistics for Social Programmes at its September 1960 meeting in Geneva. At its thirteenth session in 1961, the Social Commission considered a revised version of the report and agreed that the Secretary-General should be asked to distribute it to Member States for their interim guidance.

The Working Party considered preliminary drafts of chapters for the Handbook of Household Surveys, and drafts revised in the light of the discussion will be presented to its October 1961 meeting.

(*b*) DATA COLLECTION AND PUBLICATION

The Secretariat continued to collect and publish data on external trade, production and prices, transport, energy, national income, population, vital statistics, migration and, as needed, on other subjects. It also kept up to date regional and global figures of economic and social interest.

The quarterly and annual index numbers of industrial production were extended to provide data on the European Economic Community, Asia (including Japan) and countries classified according to degree of industrialization. Compilation was almost completed on world and regional index numbers of employment correlative to the international index of industrial production.

Annual tables in matrix form were compiled, analysing the provenance and destination of world trade into each of six large commodity classes based on the SITC (see above): food, beverages and tobacco; raw materials; fuel; chemicals; machinery and transport equipment; other manufactured goods. In addition, matrix tables were compiled for seven selected commodities of particular economic importance.

The world indexes of prices of basic commodities now show the exports of developed separately from those of under-developed areas.

Analytical tables were prepared showing the rate of growth in the gross domestic product and its key components between 1950 and 1959 and the shifts in the relative importance of the different sources of origin of, and expenditure on, the gross domestic product and of savings.

Tables were produced showing forty-year trends in proportion of population economically active, illiterate, urban, married and single and living in cities of 100,000 or more inhabitants.

The following regular annual publications were issued during the period under review: the *Statistical Yearbook, 1960*, presenting the more important economic and social series; the *Demographic Yearbook, 1960*, containing the principal demographic series for over 200 countries and territories and featuring population trends; the *Yearbook of International Trade Statistics, 1959*, giving detailed annual statistics for 132 countries covering about 98 per cent of world trade; the *Yearbook of National Accounts Statistics, 1960*, containing data for over 90 countries (including detailed estimates of national product, national income and related aggregates for 69 countries); *World Energy Supplies, 1956-1959*, giving statistics on production, trade and consumption of solid and liquid fuels, gas and electricity for approximately 160 countries covering virtually the world's population.

These five basic reference books were supplemented by the following publications: *Monthly Bulletin of Statistics; Direction of International Trade*, eleven monthly and one annual issue (published jointly by the United Nations, the International Monetary Fund and the International Bank for Reconstruction and Development); *Commodity Trade Statistics*, quarterly (pursuant to the Statistical Commission's recommendation, this publication is now being produced by large-scale electronic machine, making possible the inclusion of additional detail and regional totals not previously published; the additional detail has required publication in two volumes each quarter, one for imports and one for exports); *Population and Vital Statistics Report*, quarterly; *Current Economic Indicators*, quarterly; *Patterns of Industrial Growth, 1938-1958*, to be issued from time to time.

At the request of the Economic and Social Council (resolution 662 A (XXIV)), the Secretary-General prepared a report entitled *International Economic Assistance to the Less Developed Countries*. This contained a special section examining changes in the flow of economic assistance in the six-year period ending in 1959.

9. Human rights

(*a*) DRAFT INTERNATIONAL COVENANTS ON HUMAN RIGHTS

At its fifteenth session the General Assembly continued its consideration of the draft International Covenants on Human Rights. The Third Committee adopted four articles of the draft Covenant on Civil and Political Rights. It has so far adopted the preamble and article 1 of each Covenant, all the substantive articles of the Covenant on Economic, Social and Cultural Rights and thirteen of the substantive articles of the Covenant on Civil and Political Rights. The Assembly decided to continue the consideration of the draft Covenants at its sixteenth session.

(*b*) ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Under the programme of advisory services the Secretary-General organized three regional seminars in 1960: a seminar on the role of substantive criminal law in the protection of human rights, and the purposes and legitimate limits of penal sanctions, which took place in Tokyo from 10 to 24 May; a seminar on the protection of human rights in criminal procedure, in Vienna, from 20 June to 4 July; and a seminar on the participation of women in public life, in Addis Ababa, from 12 to 23 December. In 1961, a seminar on the protection of human rights in the administration of criminal justice was held in New Zealand from 6 to 20 February; a seminar on the status of women in family law is scheduled to be held in Bucharest from 19 June to 3 July; and a seminar on *amparo, habeas corpus* and other similar remedies is to be held in Mexico City from 15 to 28 August. For 1962 the Secretary-General will also organize three seminars: on the status of women in family law, 30 January to 12 February, in Singapore; on freedom of information, 20 February to 5 March, in New Delhi; on judicial and other remedies against the abuse of administrative authority, with special emphasis on the question of control of public administration by parliamentary institutions, from 12 to 25 June, in Stockholm.

The Commission on Human Rights, at its seventeenth session, proposed that the Economic and Social Council adopt a resolution approving the Secretary-General's plan for holding seminars in 1961 and 1962, and request the Secretary-General to study "other effective measures through advisory services for the purpose of promotion of human rights, in the light of resolution 926 (X)" of the General Assembly, and to consider "the desirability of offering fellowships and scholarships to Member States for 1962" under the programme of advisory services. (See also section 10 (*c*) below).

(*c*) PERIODIC REPORTS ON HUMAN RIGHTS

In resolution 624 B (XXII) the Economic and Social Council requested States Members of the United Nations and of the specialized agencies to submit, every three years, "a report describing developments and progress achieved during the preceding three years in the field of human rights . . .". The first series of triennial reports, covering the years 1954-1956, were submitted by forty-one Governments. For the period 1957-1959, reports on human rights were submitted by fifty-nine Governments. The Secretary-General prepared a summary of the reports on a topical basis and submitted it to the Commission on Human Rights at its seventeenth session. The specialized agencies also submitted reports in respect of the rights coming within their purview.

After an exchange of views, the Commission decided to urge Member States which have not done so to submit reports on developments in human rights during the period 1957-1959 and requested the Secretary-General to draw the attention of Member States to the summaries of the periodic reports. The Commission appointed a committee on periodic reports on human rights and requested it to: examine the summaries of the periodic reports for the years 1957-1959; prepare, if in its opinion the available information was sufficient for this purpose, draft comments, conclusions and recommendations of an objective and general character; make recommendations to the Commission on the procedure to be followed with respect to future periodic reports; and report to the Commission at its eighteenth session.

(*d*) STUDIES OF SPECIFIC RIGHTS OR GROUPS OF RIGHTS

Right of everyone to be free from arbitrary arrest, detention and exile. By resolution 624 B (XXII) the Economic and Social Council authorized the Commission on Human Rights to make studies of specific rights or groups of rights and approved as the first subject of special study "the right of everyone to be free from arbitrary arrest, detention and exile". A committee appointed by the Commission to make this study submitted its report to the Commission at its seventeenth session. The report was based on some eighty country monographs, prepared by the committee with the assistance of the Secretariat, on the laws and practices relating to arrest, detention and exile. It contained an account of constitutional provisions relating to arrest, detention and exile; an analysis of the grounds on which, and the procedures by which, a person may be arrested or detained, the rights and privileges of the person under arrest or detention, and remedies and sanctions against arbitrary arrest and detention; and a brief summary of provisions relating to exile.

After taking note of the report, the Commission decided to forward it to all Member States and to request them to submit comments thereon by 1 October 1961. It requested the committee to revise the report in the light of the comments to be submitted by Governments and any additional information, especially information concerning new Member States, which might be received, and to include in its revised report draft principles on the right of everyone to be free from arbitrary arrest, detention and exile.

Right of arrested persons to communicate with those whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests. The Vienna seminar on the protection of human rights in criminal procedure expressed the *voeu* "that the Secretary-General draw the attention of the Commission on Human Rights or the Economic and Social Council to the desirability of concluding under the auspices of the United Nations, with due regard to the national legislation of the different States concerned and to the Minimum Rules for the Treatment of Offenders already adopted by the United Nations, an international convention on the right of arrested persons to communicate with those whom it is necessary for them to consult in order to ensure their defence or protect their essential interests". The Secretary-General brought this matter to the attention of the Commission on Human Rights. After an exchange of views, the Commission requested the Committee on the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile "to undertake a separate study of the right of arrested persons to communicate with those whom it is necessary for them to consult in order to ensure their defence or to protect their essential interests", to obtain further information on this subject and to submit a preliminary report to the Commission at its nineteenth session.

(*e*) PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

The Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its thirteenth session from 10 January to 3 February 1961, continued to concentrate its efforts upon the eradication of discrimination in various fields. It noted with satisfaction that the General Conference of the United Nations Educational, Scientific and Cultural Organization had adopted a Convention and a Recommendation Against Discrimination in Education, and examined three studies of discrimination in various fields, prepared by its members. In addition, it examined information and comments relating to manifestations of racial prejudice and national and religious intolerance, and proposed further steps which the United Nations should take to eradicate such manifestations. The Sub-Commission's report was considered by the Commission on Human Rights at its seventeenth session.

Discrimination in education. The texts of the Convention and Recommendation Against Discrimination in Education, adopted by the General Conference of UNESCO on 14 December 1960, were transmitted to the Sub-Commission and to the Commission on Human Rights by the Director-General of UNESCO. Both noted the new instruments with satisfaction, and the Commission requested the Economic and Social Council to invite States to apply the provisions of the Recommendation as fully and widely as possible and to become parties to the Convention.

Discrimination in the matter of religious rights and practices. A study of discrimination in the matter of religious rights and practices, prepared by Mr. Arcot Krishnaswami, Special Rapporteur of the Sub-Commission, was printed and circulated by the Secretary-General, as authorized by the Economic and Social Council. The Commission postponed to its eighteenth session consideration of a series of draft principles which had been prepared by the Sub-Commission in 1960 on the basis of proposals by Mr. Krishnaswami.

Discrimination in the matter of political rights. The Sub-Commission considered a draft report on discrimination in the matter of political rights prepared by its Special Rapporteur, Mr. Hernán Santa Cruz, and expressed its warm appreciation to all who had assisted in its preparation. Mr. Santa Cruz was invited to submit a final report to the Sub-Commission's fourteenth session.

Discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country. The Sub-Commission also examined a progress report on the study of discrimination in respect of the right of everyone to leave any country, including his own, and to return to his country, submitted by its Special Rapporteur, Mr. José D. Ingles. Mr. Ingles was requested to present a draft report to the fourteenth session.

Manifestations of racial prejudice and national and religious intolerance. Both the Sub-Commission and the Commission examined information and comments on manifestations of racial prejudice and national and religious intolerance, collected by the Secretary-General in accordance with resolution 6 (XVI) of the Commission. The Sub-Commission decided that it would take up this item again at a later session, should circumstances render it necessary. On the recommendation of the Sub-Commission, the Commission prepared a draft resolution on this subject and proposed that the General Assembly adopt it to supplement Assembly resolution 1510 (XV) of 12 December 1960. In particular, the Commission suggested that Governments should be invited to continue their efforts to educate public opinion with a view to the eradication of racial prejudice and national and religious intolerance and the elimination of all undesirable influences promoting these, and to take appropriate measures to direct education with due regard to article 26 of the Universal Declaration of Human Rights and principle 10 of the Declaration of the Rights of the Child. It was further proposed that the General Assembly should call upon Governments to take all necessary steps to rescind discriminatory laws which create and perpetuate racial prejudice and national and religious intolerance wherever they still exist, to adopt legislation if necessary for prohibiting such discrimination, and to take other appropriate measures to combat such prejudice and intolerance. Finally, the General Assembly was asked to recommend that Governments should discourage, in every possible way, the creation, propagation or dissemination, in whatever form, of such prejudice and intolerance, and that specialized agencies and non-governmental organizations should be invited to co-operate fully in these efforts.

Second United Nations Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination. The Sub-Commission made a detailed study of the report of the Second United Nations Conference of Non-Governmental Organizations Interested in the Eradication of Prejudice and Discrimination held in Geneva from 22 to 26 June 1959. It took note in particular of resolutions concerning the intensification of UNESCO's programme for the eradication of prejudice and discrimination, improvement in the facilities for research into the causes of prejudice and discrimination, and the techniques for their eradication, the enactment of laws guaranteeing women equal rights, and further action to be taken by the United Nations to combat prejudice and discrimination. The attention of other competent bodies was drawn to those resolutions.

Protection of minorities. The Sub-Commission requested the Secretary-General to compile the texts of those international instruments which are of contemporary interest and which provide special protective measures for ethnic, religious or linguistic groups and to present such a compilation, together with an analysis of these special measures, for consideration at its fourteenth session.

Freedom from Prejudice and Discrimination Year and Day. The Commission on Human Rights at its seventeenth session requested the Economic and Social Council to recommend to the General Assembly the adoption of a draft resolution requesting all States to observe a Freedom from Prejudice and Discrimination Year in the near future and thereafter to observe a Freedom from Prejudice and Discrimination Day every year. The Commission proposed that all States and interested organizations should be urged to organize, promote and participate actively in this observance on a national basis. As requested by the Commission the Secretary-General invited States to make comments on these recommendations, and submitted them to the Council at its thirty-second session.

(*f*) FREEDOM OF INFORMATION

Draft Convention on Freedom of Information. At the fourteenth session of the General Assembly, the Third Committee adopted the preamble and article I, and at the fifteenth session, article 2, of the draft Convention on Freedom of Information. Article 1 defines the right to freedom of information, and article 2 sets forth the restrictions to which freedom of information may be subjected. The General Assembly will continue to consider the draft Convention at its sixteenth session.

Draft Declaration on Freedom of Information. The draft Declaration, which was prepared by the Economic and Social Council, was placed on the agenda of the General Assembly at its fifteenth session. The Assembly decided to consider the draft Declaration at its sixteenth session.

Development of information media in under-developed countries. Pursuant to Economic and Social Council resolution 718 I (XXVII), UNESCO submitted a report on the development of information media in under-developed countries to the Commission on Human Rights at its seventeenth session and to the Council at its thirty-first session. On the Commission's recommendation, the Council adopted resolution 819 A (XXXI), drawing the attention of Member States to the possibilities of action and international co-operation in promoting the development of national information media in the less developed countries, recommending that the Governments of the more developed countries co-operate with less developed countries with a view to meeting the urgent needs of the less developed countries in the development of independent national information media, requesting UNESCO to prepare a further report containing specific recommendations to the Commission on additional concrete measures that might be taken through international co-operation to meet difficulties with which less developed countries are confronted.

Developments in the field of freedom of information since 1954. Under Council resolution 718 II (XXVII), the Secretary-General appointed a special consultant to prepare a report on the developments in the field of freedom of information since 1954. The report was submitted to the Council at its thirty-first session. In resolution 819 B (XXXI), the Council requested the Secretary-General to circulate the report to Member States, to interested specialized agencies and to non-governmental organizations for their comments and any additional information which they might consider pertinent, and requested the Commission on Human Rights, at its eighteenth session, to consider the report together with any comments that might be received.

Annual report on freedom of information. The Council in resolution 718 II (XXVII) also requested the Secretary-General to prepare an annual report on freedom of information. The first annual report, which will cover the years 1961-1962, will be submitted to the Commission at its eighteenth session.

(*g*) SLAVERY, THE SLAVE TRADE AND INSTITUTIONS AND PRACTICES SIMILAR TO SLAVERY

Pursuant to Economic and Social Council resolution 772 D (XXX), the Secretary-General requested the Governments of States parties to the Supplementary Convention of 1956 on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery, to transmit to him, as provided in article 8, paragraph 2, of the Convention, copies of any laws, regulations and administrative measures to implement the provisions of the Convention, or to inform him that they had not found it necessary to enact or put into effect such new laws, regulations or administrative measures. The Secretary-General communicated the information received to the thirty-second session of the Council, in accordance with article 8, paragraph 3, of the Convention.

(*h*) DRAFT DECLARATION ON THE RIGHT OF ASYLUM

At its sixteenth session, the Commission on Human Rights adopted a draft Declaration on the Right of Asylum. The Economic and Social Council transmitted the draft to the General Assembly, which decided to consider it at its sixteenth session.

(*i*) YEARBOOK ON HUMAN RIGHTS

The *Yearbook on Human Rights for 1959*, the fourteenth volume in the series, was prepared during the year. It included constitutional provisions, laws and regulations, and judicial decisions relating to human rights in respect of eighty-eight States and various Trust and Non-Self-Governing Territories.

(*j*) COMMUNICATIONS CONCERNING HUMAN RIGHTS

From 1 December 1959 to 30 November 1960, a total of 1,611 communications relating to human rights were received; they were dealt with in accordance with the procedure established in Economic and Social Council resolution 728 F (XXVIII). The Secretary-General presented a confidential list, a non-confidential list and a statistical account of the communications to the Commission on Human Rights at its seventeenth session. He also presented confidential lists and non-confidential lists to the Commission on the Status of Women at its fifteenth session and to the Sub-Commission on the Prevention of Discrimination and Protection of Minorities at its thirteenth session. A total of 173 communications containing allegations of infringements of trade union rights and two communications concerning forced labour were forwarded to the ILO.

10. Status of women

(*a*) UNITED NATIONS ASSISTANCE FOR THE ADVANCEMENT OF WOMEN IN DEVELOPING COUNTRIES

Pursuant to a request by the Economic and Social Council (resolution 771 H (XXX)), the Secretary-General submitted to the Council at its thirty-second session a preliminary report on United Nations assistance specially directed towards the advancement of the status of women in developing countries. The report, which was prepared in co-operation with Governments of Member States and the specialized agencies, will also be considered by the Commission on the Status of Women at its sixteenth session. In this connexion, the General Assembly, at its fifteenth session (resolution 1509 (XV)), invited the Council and the Commission to take appropriate measures that would lead to special assistance by the United Nations and the specialized agencies for the advancement of women in the developing countries. It expressed the hope that Governments, particularly those of the developing countries, would take full advantage of existing United Nations programmes designed to improve the status of women and that the United Nations and the specialized agencies would, for their part, direct their programmes to a greater extent towards achieving this end.

(*b*) POLITICAL RIGHTS OF WOMEN

At its fifteenth session, the Commission had before it the following reports prepared by the Secretary-General: the annual memorandum on constitutions, electoral laws and other legal instruments relating to the political rights of women, which had been previously submitted to the fifteenth session of the General Assembly; a supplementary memorandum on the implementation of the Convention on the Political Rights of Women; and reports on the status of women in Trust and in Non-Self-Governing Territories.

The Commission noted that the United Nations publication on *Political Education of Women* was now out of print and that the information in this pamphlet would be extremely helpful in preparing women for the exercise of their civic and political rights and duties. It requested the Secretary-General to prepare a revised draft of this pamphlet, for a future session, to be entitled "Civic and Political Education for Women", taking into account, if possible, the work of the non-governmental organizations and in consultation with the discussion leaders of the three United Nations seminars on the "Participation of Women in Public Life". The hope was expressed that Governments of Member States where women do not as yet enjoy political rights will find it possible to be represented at that session of the Commission at which the revised draft pamphlet will be discussed.

(*c*) ADVISORY SERVICES PROGRAMME IN THE FIELD OF HUMAN RIGHTS

The Commission expressed its appreciation of, and its support for, the advisory services programme in the field of human rights as outlined in the progress report of the Secretary-General. Further information concerning the advisory services programme in relation to the status of women is contained in section 9 (*b*) above.

After studying the report of the 1960 Seminar on the Participation of Women in Public Life held in Addis Ababa, Ethiopia, the Commission requested the Economic and Social Council to ask the World Health Organization whether it considered it possible to meet the wishes of the participants of the Seminar by undertaking a study of the medical aspects involved in the customary practices to which many women are still subjected.

(*d*) STATUS OF WOMEN IN PRIVATE LAW

At its thirtieth session, the Economic and Social Council had before it the texts of a draft convention and a draft recommendation on the minimum age of marriage, consent to marriage and registration of marriages, which had been prepared by the Commission on the Status of Women at its fourteenth session. The Council decided not to consider the texts of the instruments and requested the Secretary-General (resolution 771 C (XXX)) to transmit the documents to Governments inviting them to submit observations in time for submission to the Commission's fifteenth session on: (*a*) the question of whether a draft convention or a draft recommendation or both should be prepared; and (*b*) the provisions of the drafts drawn up by the Commission.

Accordingly, the Secretary-General submitted to the Commission at its fifteenth session a report containing extracts from the observations received from thirty-six Governments. The Commission, taking into account the discussions at the thirtieth session of the Council, the observations of Governments and statements submitted by non-governmental organizations, transmitted to the Council a new text of a draft international convention on the consent to marriage, minimum age of marriage and registration of marriages, containing a preamble and three substantive articles, and requested the Council to recommend the adoption of this convention by the General Assembly. It also proposed a draft recommendation on the same subject for adoption by the Council. The Secretary-General has prepared for the thirty-second session of the Council a working paper on the draft convention and the draft recommendation.

The Commission decided that a study should be undertaken of the legal conditions and effects of the dissolution of marriage, annulment of marriage and judicial separation. It requested the Secretary-General to transmit to the Governments of States Members of the United Nations and of the specialized agencies a questionnaire on this subject and to prepare, on the basis of replies received, a report, if possible for the Commission's seventeenth session.

(*e*) ECONOMIC RIGHTS AND OPPORTUNITIES

The Commission had before it a report by the International Labour Office on the application of Convention No. 111 concerning discrimination in employment and occupation. The Commission asked the Economic and Social Council to recommend that Governments of Member States of the United Nations and of the specialized agencies take the necessary measures to eliminate restrictions on the right of women, including married women and women contracting marriage, to work in all branches of employment and occupation. It invited the ILO to continue its studies of discrimination against women in respect of employment and occupation and to give further consideration to ways of eliminating all aspects of such discrimination. It further invited the ILO to consider in this connexion to what extent such discrimination is attributable to the fact that the cost of all or some social welfare benefits, particularly maternity benefits, is defrayed solely by employers and not out of public funds or other collective arrangements, in particular the existing systems of social security and social services.

Also before the Commission were three reports by the Secretary-General on the occupational outlook for women: a supplementary report on the access of women to training and employment in architecture, engineering and the legal profession, a report on draughtsmen and a report on science and engineering technicians not elsewhere classified and laboratory assistants. The Commission requested the Council to recommend that Member States pay special attention to the problems of employment of women, and take all possible steps to promote for women who desire to work opportunities to obtain employment in accordance with their qualifications and abilities. It also asked the Council to invite the ILO to supplement its regular reports to the Commission on equal pay and related matters with information on other ILO activities having a bearing on the employment of women.

The Commission requested the Secretary-General to prepare two reports for its future sessions: one in consultation with the ILO on part-time work for women, and another in consultation with the ILO and UNESCO on methods found useful by Governments and non-governmental organizations to promote the access of women to training and employment in the principal professional and technical fields. With regard to the latter, the hope was expressed that the ILO would find it possible to suggest a plan for studies of other occupational areas, including those where large numbers of women are employed.

The Commission again considered the report, which had been prepared for its thirteenth session, on tax legislation applicable to women. It asked the Council to call the attention of Member States to the need to re-examine their laws applicable to the taxation of married persons, with a view to providing for equal treatment of men and women in respect of taxation of earned income, and to invite Member States to consider the desirability of giving effect to this principle either by providing for taxation on an individual basis or by giving married couples the option to elect either to be taxed jointly or separately on their individual earned incomes.

(*f*) ACCESS OF WOMEN TO EDUCATION

After studying the report on the access of women to the teaching profession, prepared by UNESCO, the Commission recommended that the Economic and Social Council call upon the educational authorities in Member States of the United Nations and of the specialized agencies to ensure, in law and in fact, a complete professional training for women teachers, equal access to posts of responsibility and authority, and the elimination of discrimination against married women in the exercise of the teaching profession. UNESCO and other specialized agencies concerned were invited to lend their assistance.

The Commission expressed particular concern with the problem of illiteracy among women. It requested the Council to recommend that Governments of Member States and the competent educational authorities give special attention to problems of illiteracy among women and to urge Governments to apply the provisions of the UNESCO Convention and Recommendation against Discrimination in Education by providing full opportunities for young persons of both sexes to take the same courses of study. Further, UNESCO was invited to develop its plans for assistance in overcoming illiteracy among women in the developing countries. It was agreed that UNESCO, in its reports on activities of special interest to women, would include information on what has been achieved and what is planned in the campaign against illiteracy among women.

(*g*) OTHER QUESTIONS RELATED TO THE STATUS OF WOMEN

In view of the increasing number of Member States of the United Nations, the Commission recommended that the Economic and Social Council decide to increase the membership of the Commission so as to achieve an equitable geographical representation and to enable an increased number of Member States to participate in its work.

As requested by the Commission, the Secretary-General submitted to it a report surveying the work of the Commission and the results achieved on the international level. The report, which is presented in tabular form, is divided into chapters each dealing with one aspect of the Commission's work. It lists the reports, studies and publications prepared for the Commission or in connexion with its work, as well as decisions of other organs of the United Nations or of the specialized agencies in this field. The Commission requested the Secretary-General to prepare addenda to the report annually, with a view to issuing a consolidated revision of the document at an appropriate time.

Note was taken of the memorandum prepared by the Secretary-General concerning recent changes in the legislation affecting the nationality of married women and listing the countries which by 1 February 1961 had signed, ratified or acceded to the Convention on the Nationality of Married Women. The Commission decided that in the future the supplementary reports by the Secretary-General on the nationality of married women would be prepared every two years instead of annually and that the reports on the status of women in Trust Territories and in Non-Self-Governing Territories should be issued in alternate years.

The Commission expressed the wish that a report on the results of the inquiry by the International Children's Centre in Paris on crèches and day nurseries be submitted to it at its next session, in accordance with the request made at its twelfth session, which had subsequently been approved by the Council (resolution 680 C (XXVI)).

11. International narcotics control

(*a*) UNITED NATIONS PLENIPOTENTIARY CONFERENCE FOR THE ADOPTION OF A SINGLE CONVENTION ON NARCOTIC DRUGS

In accordance with Economic and Social Council resolution 689 J (XXVI), the Secretary-General convened a Plenipotentiary Conference for the adoption of a Single Convention on narcotic drugs "to replace the existing multilateral treaties in the field", and invited to the Conference: all States Members of the United Nations, the specialized agencies and the International Atomic Energy Agency; the World Health Organization and other specialized agencies interested in the matter; the Permanent Central Opium Board and Drug Supervisory Body; and the International Criminal Police Organization (Interpol).

The basic document used by the Conference was the third draft of the Single Convention on narcotic drugs which had been adopted by the Commission on Narcotic Drugs at its twelfth and thirteenth sessions and which had been transmitted (under the same resolution of the Council) for comments to all those invited to the Conference. The observations of the fifty-five States and the sixteen organizations who sent comments were compiled analytically and submitted to the Conference, together with various other organizational and technical papers.

Seventy-three States were represented at the Conference which was held at United Nations Headquarters, New York, from 24 January to 25 March 1961. Six inter-governmental organizations and three non-governmental organizations were also represented. The Conference proceeded, after its opening formalities, to discuss articles or groups of articles in plenary session and then referred them to eleven working groups which, in turn, studied them in greater detail before submitting a report back to the plenary, where they were given a second reading before being sent to the drafting committee and then back for ultimate approval by the plenary. These *ad hoc* committees included a technical committee, whose main task was to bring up to date the lists of drugs in the four schedules, the drugs in each schedule being subject to a different measure of control.

The Conference was able substantially to achieve the three main tasks prescribed for it by the Economic and Social Council in resolutions 159 D (VII) and

246 D (IX). The fusion of the Permanent Central Opium Board and the Drug Supervisory Body into a single body, together with some related administrative changes, satisfied the first task of simplifying the international narcotics control machinery. The second, that of codifying existing multilateral treaty law, was completely effected, except that the more specific provisions of the 1936 Convention on illicit traffic would be continued. As regards the third task, the extension of the control system to the cultivation of plants grown for the raw materials of natural drugs (opium, cannabis and coca leaves), a new and definite provision to limit such cultivation exclusively to medical and scientific purposes was adopted. The Convention adopted by the Conference also specifically requires that national agencies amounting in effect to monopolies shall be established or maintained for this cultivation wherever it is permitted. Moreover, the Convention would achieve what has been striven for during half a century —after a definite transitional period, all non-medical use of narcotic drugs such as opium smoking, opium eating, consumption of cannabis (hashish, marijuana) and chewing of coca leaves will be outlawed everywhere.

The Conference adopted a Convention named the "Single Convention on Narcotic Drugs, 1961" and a Final Act to which were annexed five resolutions dealing with technical assistance, treatment of drug addicts, illicit traffickers, membership of the Commission on Narcotic Drugs, and international control machinery. The Convention was opened for signature on 30 March 1961 and, as at 15 June 1961, forty-five States have signed it; it will remain open for signature until 1 August 1961. After that date, it will be opened for accession as provided in paragraph 3 of its article 40. The Convention will come into force on the thirtieth day following the date on which the fortieth instrument of ratification or accession is deposited in accordance with article 40.

(*b*) OPERATION OF THE INTERNATIONAL NARCOTICS TREATIES

Annual reports on the working of the treaties were received for 134 States and territories, and analysed in the *Summary of Annual Reports of Governments, 1959*.

Legislative texts were studied and circulated in respect of thirty-five countries and territories. Reference to all texts of laws and regulations published by the United Nations is provided by a multi-purpose *Cumulative Index* brought up to date each year by the Secretariat; the latest edition of the *Index* covers texts published from 1947 to 31 December 1960.

An annual statement regarding manufacture of narcotic drugs and a list of authorities entitled to issue import and export authorizations were also issued.

During the year, seven new drugs were brought under the international control, under group I of the 1931 Convention. The number of drugs under international control is now seventy-nine, of which fifty-one are synthetic drugs.

A total of 744 reports on seizures of illicit drugs covering 1,258 individual seizures were received and communicated to Governments; general reports on illicit traffic were received from ninety-one States and territories. Co-operation was maintained with the International Criminal Police Organization (Interpol) and the Permanent Anti-Narcotics Bureau of the League of Arab States. The Secretary-General prepared an analytical review of the illicit traffic in drugs during 1960. Opium and the opiates, cocaine and cannabis were predominant in the illicit traffic. Discoveries of clandestine laboratories equipped for the manufacture of morphine, diacetylmorphine and cocaine continued to be reported in various parts of the world. An increasingly important factor in the illicit traffic is the use of air carriers, particularly in parts of South America and the Near and Middle East and the Far East, where some clandestine landing strips were detected. It may similarly be noted that attempted smuggling of cannabis by parcel post, including air-mail, resulted in a considerably higher number of seizures. The exchange of information between central offices of Governments played an important part in facilitating action against illicit traffic.

For the work of the opium research programme, authenticated samples are essential and Governments have sent further samples to the Laboratory in 1960. However, there were still insufficient samples, particularly from South East Asia, the Middle East and Latin America. Further studies relating to the identification of cannabis have also been made in the United Nations Laboratory, and samples of cannabis were received from a number of countries.

(*c*) ACTION RESEARCH STUDIES

Studies of this type were made relating to drug addiction, to the consumption of new drugs, and to the problem of cannabis.

(*d*) TECHNICAL ASSISTANCE FOR NARCOTIC CONTROL

In the year under review, an additional allocation of funds was provided under General Assembly resolution 1395 (XIV) for technical assistance in narcotics control. Under these arrangements, a meeting was convened in Bangkok of the South-East Asia Consultative Group on Narcotics Problems. This meeting drew up a number of recommendations which are now under study by Governments. Ten fellowships were also granted to Bolivia, China, India, Malaya, Mexico, Nigeria, Philippines, Thailand and Yugoslavia.

Assistance was also provided in the form of an expert (Iran) and three fellowships (Indonesia and Turkey) under the Expanded Programme of Technical Assistance. Mention should also be made of a Moroccan project in the Riff region supported by the Special Fund and administered by FAO; this project aims at the replacement of cannabis (kif) culture as part of the general redevelopment of agriculture and of the reafforestation of the region.

12. Social questions

(*a*) SOCIAL RESEARCH AND DEVELOPMENT

The 1961 *Report on the World Social Situation*, which was considered by the Social Commission at its thirteenth session in April-May 1961, was prepared in two parts in accordance with the request made by the Economic and Social Council in its resolution 663 E (XXIV): part I, which was prepared by the United Nations in co-operation with the ILO, FAO, UNESCO and WHO, reviewed briefly the major trends in the world social situation, while part II was devoted to a study of balanced economic and social development. Appended to the Report were abridged versions of selected country case studies of balanced social and economic development.

The Social Commission, commending the Report's analysis of the problem of balanced economic and social development, recommended that it be referred to Member States for their use and guidance in policy development. The Commission also recommended the Economic and Social Council to decide that an analytic report on the world social situation be issued biennially, beginning in 1963, covering in alternate editions social conditions and social programmes, on the one hand, and, on the other, urgent comprehensive social problems selected in the light of the Commission's recommendations and decisions.

In addition, the Commission recommended that the Council approve the work programme in this field, including the various types of studies on a global, regional and national basis, both substantive and methodological, which were suggested in the note by the Secretary-General setting forth conclusions and recommendations based on the *Report on the World Social Situation*.

The question of balanced economic and social development was also discussed at the regional Latin American level by a group of experts meeting in Mexico City in December 1960 under the joint sponsorship of the United Nations, ECLA and UNESCO. Preparatory work has been undertaken for a further meeting to consider the question of education in relation to economic development and for a conference on social aspects of development planning for the Arab States, both to take place late in 1961.

Following the adoption by the Economic and Social Council of resolution 792 (XXX) on "Concerted action programmes", the Secretary-General in consultation with the Administrative Committee on Co-ordination prepared a concerted action programme in the field of urbanization, with particular attention to the relationship of this proposed programme to the long-range programmes of concerted action in the fields of community development, of low-cost housing and related community facilities and of industrialization. The practical steps to be taken in this connexion by the United Nations and the specialized agencies concerned were considered by the ACC in 1960, and the proposed programme was discussed at an inter-secretariat working party in December 1960.

After considering the proposed programme at its thirteenth session, the Social Commission requested the Economic and Social Council to approve the long-range programme and, *inter alia,* to invite the United Nations, including the regional economic commissions, and the specialized agencies concerned to strengthen their work on various aspects of urbanization and to participate fully in the concerted programme.

As part of the programme, the experience gained by the 1959-1960 Inter-Agency Survey Mission on Urbanization in the Mediterranean Region will be utilized in organizing in 1962 in co-operation with the Economic Commission for Africa a workshop on urbanization (including the effects of urbanization on the family). Preparatory work for this project has included a reconnaissance-survey mission on urbanization problems and programmes in several African countries undertaken by the United Nations and ECA in the spring of 1961 in co-operation with the specialized agencies concerned.

At its thirteenth session, the Social Commission also considered a report by the Secretary-General on the applicability of community development to urban areas, prepared in accordance with resolution 663 D (XXIV) of the Economic and Social Council. The Commission recommended that this report should be brought to the notice of Governments and that information concerning future progress in community development should be made available to them. The Commission favoured continued experimentation, field studies and pilot projects in urban community development, with priority for undertakings likely to produce early practical results or to furnish widely applicable methodological guide-lines. The Commission also emphasized in this connexion the usefulness of seminars and workshops for helping countries to define their common problems and to learn from one another's experience.

The progress of work in connexion with the international definition and measurement of levels of living is referred to in section 8 above.

(*b*) POPULATION

The Population Commission, at its eleventh session, reviewed the objectives and accomplishments of the United Nations in population matters, considering that the rate of population growth was continuing to rise in the developing countries and the related problems and issues of policy were continuing to grow in importance and urgency. It was in the interest of the United Nations, the Commission declared, that national decisions on questions of population policy should be taken, and national programmes of action for dealing with population problems should be planned, in the light of knowledge of the relevant facts, and that the programmes should be adequate to assure satisfactory progress in economic and social development. The Commission urged that the Secretariat should intensify its efforts to encourage and assist Governments in obtaining the necessary data and carrying out the necessary studies to provide a sound basis for informed policy-making and planning in this field. The United Nations should also give technical assistance, as requested by Governments, for national projects for dealing with population problems.

Considering the importance of the population censuses which have been taken or are to be taken in many countries in connexion with the 1960 World Population Census Programme, as a source of information on the trends and problems of population and a basis for national policy-making and planning, the Secretary-General presented to the Commission a plan for a five-year programme of international co-operation in evaluating, analysing, and utilizing the results of these censuses. As mentioned in the previous report, regional seminars on evaluation, analysis, and utilization of population census data had been held in Latin America in 1959 and in Asia and the Far East in 1960, and case studies of administrative arrangements for the evaluation, analysis and utilization of census results had been undertaken in various countries in co-operation with the Governments concerned. During the period under review, two more case studies, on Japan and Iran, were issued as companion studies to those already issued, dealing with the Sudan, Guatemala and Ecuador.

The Secretary-General's plan for the next five years included expansion and diversification of the existing facilities for demographic training and research in Latin America and in Asia and the Far East, development of such facilities in Africa and other regions where they do not yet exist, making available to requesting Governments the services of consultants to advise and assist in national projects of evaluation, analysis, and utilization of census data and related activities, and assisting Governments, upon their request, to establish continuing, institutionalized programmes of demographic research. The Population Commission welcomed this plan and on its recommendation the Council adopted resolution 820 B (XXXI), requesting the Secretary-General to undertake these activities and inviting the Governments of Member States participating in the 1960 World Population Census Programme to consider the utility of making arrangements to ensure that essential analyses of the census results would be carried out. The Council also approved (resolution 820 C (XXXI)) the holding of a second world conference of experts on population in 1964 or 1965, similar to the one which was held in Rome in 1954 under the auspices of the United Nations.

During 1960, the Secretariat undertook, in collaboration with WHO, a survey of the conditions and recent trends of mortality in the world, the report of which is to be published in the sixth (1961) issue of the *Population Bulletin of the United Nations.* A brief summary presented to the Population Commission at the eleventh session emphasized the important reductions of death rates and large gains in expectation of life which had been scored in many of the economically less developed countries during the 1950's, and the possibilities existing for further large gains during the 1960's, which would tend to push the rates of population growth in these countries up still higher, unless their birth rates should be considerably reduced. Also emphasized was the inadequacy of available measures of mortality in many of the less developed countries.

An experiment with household sample inquiries as a means of obtaining data on births and deaths in countries where reliable statistics of birth and death registration are lacking was begun in 1960 in the State of Guanabara, Brazil, as a joint project of the Government of Brazil and the United Nations.

The findings of a pilot study in the Philippines, undertaken jointly by the United Nations and the Government of the Philippines, were published in a report entitled, *Population Growth and Manpower in the Philippines.*

(*c*) COMMUNITY DEVELOPMENT

The major part of the United Nations effort in this field continued to be devoted to community development in rural areas. Since the raising of levels of living of rural populations is still the primary problem in most countries, the relationship of community development programmes to the United Nations programme with respect to urbanization also received increased attention during the period under review.

Noting the increase in the number of countries with community development programmes and of those requesting assistance in evaluating such programmes, the Social Commission at its thirteenth session recommended that a group of experts be convened by the Economic and Social Council to review the community development programme in the light of relevant national experience and to advise the Commission and the Council in planning the most effective use of resources available for work in this field. It recommended that the Secretary-General be asked to consult the specialized agencies concerned on the group's terms of reference and advise the Social Commission at its next session.

In addition to the provision of the services of experts and the granting of fellowships, the organization of study tours and seminars on community development continued as a major activity, providing opportunities for the exchange of experience among national administrators responsible for community development programmes. In Africa, the third in a series of study tours was organized in the autumn of 1960 and enabled East African officials to observe projects in four African countries. Preparations have been initiated for a conference and a regional seminar on the planning and administration of national community development programmes to be organized jointly with ECAFE for the Asia and Far East region in September 1961 as well as for a workshop on the same subject for policy-making officials in the Arab States Training Centre for Community Development Education (ASFEC). Collaboration with specialized agencies in research and operational activities has been maintained and reviewed under the auspices of the ACC.

(*d*) HOUSING, BUILDING AND PLANNING

At its thirteenth session, the Social Commission considered a progress report on the implementation of the long-range programme of concerted international action in the field of housing prepared in accordance with Economic and Social Council resolution 731 B (XXVIII) as well as a memorandum by the Secretary-General which included proposals for the consideration by a group of experts of certain aspects of the long-range programme as set forth in General Assembly resolutions 1393 (XIV) and 1508 (XV). The Commission recommended that the Council decide, *inter alia,* to convene in 1962 an *ad hoc* group of ten experts to be appointed by the Secretary-General in consultation with Governments. The group would advise the Commission on problems related to the development of programmes for the extension of housing and basic community facilities and the mobilization of national and international resources for the extension of low-cost housing and urban development.

Expert assistance and fellowships in the field of housing, building and planning have been made available to a number of countries under the United Nations technical assistance programme. A report on the housing and building materials industries in Central America was issued jointly by ECLA and the United Nations Bureau of Social Affairs, and work has been undertaken on a survey of housing conditions and of experience with technical assistance throughout the world, which will be published as combined issues Nos. 14 and 15 of *Housing, Building and Planning.*

Among the projects connected with housing, building and planning in which the United Nations has participated during the period under review are the following: the regional housing centres in India and Indonesia, established under the joint sponsorship of the United Nations and the Governments concerned, a six-year project of the Special Fund to establish a buildings materials development laboratory at the Regional Housing Centre in Bandung, Indonesia, and the Inter-American Housing Centre (CINVA) in Bogotá. Consultations have been held on the possibility of establishing housing research centres in Africa, and preliminary talks have taken place concerning the establishment of a centre for earthquake engineering and earthquake-resistant house construction.

A seminar on the contribution of building research to housing problems in developing countries was held in Copenhagen in May-June 1961 for participants from the developing countries, under the joint sponsorship of the United Nations and the Government of Denmark. Aid in reconstruction in disaster areas was provided to the Government of Chile in the period under review, and attention is being given to the review and development of techniques for carrying out long-term rehabilitation and reconstruction programmes in countries affected by natural disasters.

In the field of planning, a study has been undertaken of the social and physical planning aspects of industrial estates, which will be used as a basic paper for the United Nations seminar on industrial estates in the ECAFE region, to be held in Madras, India, in the autumn of 1961 in collaboration with ECAFE. As part of the long-range programmes in housing and urbanization, preparations are being completed for a meeting in Stockholm in September 1961 of an expert group on metropolitan planning and development to consider suitable approaches to the problems of urban development. The project is being carried out in co-operation with the Government of Sweden as well as with ECE, ILO, UNESCO and WHO. Also related to the work of the long-range programme was the regional seminar on public administration problems of new towns, held in New Delhi in December 1960 under the joint sponsorship of the United Nations and UNESCO, which dealt, *inter alia,* with planning problems consequent to the urbanization process.

The importance placed by the United Nations on the need for trained personnel is reflected in the fact that, in the period 1955-1960, United Nations fellowships were awarded to almost 200 persons to study and observe abroad various aspects of housing, building and planning, and that a considerable amount of direct assistance is being provided to aid in the establishment of training centres in developing countries.

Fifty-five Governments responded to the Secretary-General's request, made in accordance with Council resolution 713 (XXVII), for information for inclusion in the list of national parks and equivalent reserves. A report based on these replies was submitted to the Council at its thirty-first session in 1961. The Council in resolution 810 (XXXI) noted, *inter alia,* that the International Union for Conservation of Nature and Natural Resources agreed to undertake the preparation of part II of the list, which will include information from those Governments wishing to add their national parks and reserves to the list, and appropriate revision and additions to the data already included. The Secretary-General has, accordingly, undertaken the necessary consultations with the Union.

(*e*) Social services

The programme of work carried out by the United Nations in the field of social services in the past year concentrated on three major areas of activity: the development of comprehensive national social service programmes, the promotion of family and child welfare and of measures to improve family levels of living, including co-operation with UNICEF, and the training of social welfare personnel.

A report by the Secretary-General, following up the 1956 *Report on a Co-ordinated Policy regarding Levels of Living* and containing draft recommendations on co-ordinated social policy with special reference to measures designed to improve family levels of living was considered by the Commission at its thirteenth session. The Commission recommended to the Economic and Social Council that this report, together with the relevant documents, should be circulated to new Member States for comments and that, on the basis of the suggestions made by members of the Commission, comments from new Member States and further consultations with the specialized agencies concerned, a revised statement should be prepared for the Commission's consideration.

The Secretary-General, in compliance with Council resolution 731 D (XXVIII), convened in January-February 1961 at United Nations Headquarters an expert group of key national social welfare officials to analyse recent national experience and to identify underlying principles and effective methods in the organization and administration of social services. The report of the group will be considered by the Social Commission at its next session. The third in a series of regional seminars dealt with problems relating to the organization and administration of social services and was held in Denmark in August-September 1960 for participants from Arab countries; the seminar also discussed methods and content of training for social work. The services of general social welfare advisers as well as fellowship grants were made available to a number of countries.

In accordance with Council resolution 731 H (XXVIII), the Secretary-General has continued to give high priority to assisting Governments in planning and implementing social services for family and child welfare and to co-operate with UNICEF in its programme of aid for social services for children and in the social welfare aspects of other UNICEF-aided programmes. (See section F, below).

In accordance with a decision of the ACC at the July 1960 meeting, the Secretary-General has convened a meeting of the specialized agencies co-operating with UNICEF to consider the methods of securing technical guidance from the agencies on UNICEF-assisted projects of interest to more than one technical agency. The meeting will take place in Geneva in August 1961.

A seminar on family and child welfare was held in Kuala Lumpur in October 1960 for countries in the ECAFE region, and an African workshop on the extension of family and child welfare services in community development was held in Accra in November-December 1960.

Technical assistance in training for social work continued to receive high priority, and experts gave assistance in organizing in-service training programmes or in establishing or reorganizing schools of social work to a number of Governments at their request. In July 1960, a meeting of experts was held in Paris under the joint sponsorship of the United Nations and UNESCO to discuss the contribution of sociology, psychology and anthropology to the training of social workers. A selection of the papers prepared for this meeting was published in the eighth issue of the *International Social Service Review.*

In the field of rehabilitation of the handicapped, the services of general rehabilitation advisers and of experts in physiotherapy, occupational therapy and prosthetics were made available to a number of Governments at their request, and assistance to new and continuing pilot schemes in the rehabilitation field was provided. Preparations for an August 1961 meeting in Geneva of interested specialized agencies included compilation of a third issue of the "Summary of Information on Projects and Activities in the field of Rehabilitation of the Handicapped"; the meeting will consider, *inter alia,* ways and means for improving integration of the main phases of the total rehabilitation process and will review practical experience of the participating agencies in providing technical assistance in this field.

The seventh issue of the *International Social Service Review* was devoted to articles dealing with activities in the field of rehabilitation of the handicapped.

The Technical Working Group on Migration of the ACC held its twelfth session in January 1961 to discuss co-ordination of technical assistance projects, and to consider current and future research activities. The eighth conference of non-governmental organizations interested in migration has been convened to meet in August 1961 in Geneva.

After reviewing the work of the United Nations in the field of social services, the Social Commission at its thirteenth session adopted a resolution recommending that the Economic and Social Council recognize, *inter alia,* the need for the Bureau of Social Affairs to continue to give technical advice in planning and implementing social service projects. The Council was also asked to request the Secretary-General, in consultation with the Executive Secretaries of the regional economic commissions and with due regard to the role of UNICEF, to give full consideration to the importance of assisting Governments in newly developing countries in establishing, extending and improving social service programmes, and to the contribution of social services in broad programmes of international action in the social and economic fields. The Commission also asked the Council to recommend that a report on developments in the training of social service personnel and on practical approaches to meeting the urgent needs in the newly developing countries for such personnel be prepared for consideration at the next session of the Commission.

(*f*) SOCIAL DEFENCE

The Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders was held in London from 8 to 19 August 1960. The Government of the United Kingdom acted as host to the Congress, which was attended by slightly more than one thousand persons, including representatives of Governments, specialized agencies, inter-governmental and non-governmental organizations, as well as qualified individual participants. The Social Commission considered the report of the Congress at its thirteenth session, and recommended that the Economic and Social Council, *inter alia,* endorse the conclusions and recommendations adopted by the Congress, and draw attention to the possibilities of obtaining technical assistance in the field of social defence as set forth in Council resolution 731 F (XXVIII). A meeting of the *ad hoc* Advisory Group of Experts on the Prevention of Crime and the Treatment of Offenders was held in London immediately prior to the Congress to discuss the organization of the Congress and to advise the Secretary-General on the implementation of certain items in the United Nations programme of work in this field.

The newly constituted United Nations Consultative Group, a body of universal character which is to replace the European Consultative Group, is scheduled to hold its first meeting in Geneva in October 1961. Reports now in course of preparation for consideration by the Group include studies on the evaluation of group therapy and other therapeutic methods in penal and correctional treatment and on the régime for adults and juveniles detained prior to sentence or commitment.

In accordance with Council resolution 731 F (XXVIII), an agreement was signed with the Government of Japan for establishing an Asia and Far East Institute on the Prevention of Crime and the Treatment of Offenders. This will be the second such institute, the first having been established for Latin America by agreement with the Government of Brazil.

The number of national correspondents in the field of prevention of crime and the treatment of offenders rose to 125 in fifty countries. At the request of Governments, expert assistance was provided in the field of social defence.

The sixteenth issue of the *International Review of Criminal Policy* was devoted to the theme of criminality and social change. Preparatory work was completed for the combined issue of numbers 17 and 18 of the *Review,* dealing with the planning and construction of institutions for juvenile delinquents and adult offenders; this issue forms part of the documentation for the October 1961 meeting of the United Nations Consultative Group. Work was undertaken on the revision of the Asian and Middle East regional surveys of juvenile delinquency; the content of these surveys is being expanded to include information on prevailing concepts of causation, magnitude of the problem and ways of dealing with delinquents.

Work is also proceeding on other aspects of the problem of juvenile delinquency and related forms of social maladjustment, including anti-social behaviour, in accordance with General Assembly resolution 1394 (XIV). A general study on preventive policy and programmes has been undertaken on a regional basis and the various phases of the project involve close cooperation with the specialized agencies concerned and with non-governmental organizations.

As at 1 September 1960, the former Social Defence Section of the Bureau of Social Affairs was reorganized into two units, in accordance with resolution 731 F (XXVIII) of the Economic and Social Council. Specific responsibilities in the substantive and technical assistance aspects of United Nations activities in the social defence field have been assigned to the Headquarters unit and the unit located at the European office. The general direction and co-ordination of the social defence programme rests with United Nations Headquarters.

After discussing this reorganization, the Social Commission at its thirteenth session recommended that the Council stress the necessity of maintaining United Nations leadership and activities in the field of social defence and of reinforcing the corresponding services under the present direction and co-ordination of the social defence programme within the existing possibilities of the Organization.

(g) OTHER MATTERS RELATED TO UNITED NATIONS WORK IN THE SOCIAL FIELD

In pursuance of General Assembly resolution 1392 (XIV), which recommended that the Economic and Social Council consider ways in which its work in the social field can be strengthened, the Social Commission at its thirteenth session considered a report by the Secretary-General outlining the various problems involved and including certain proposals based on the experience of the Secretariat. The Commission set forth its views concerning its terms of reference, and recommended, *inter alia*, that its biennial meetings be changed to annual meetings, that the Council give favourable consideration to enlarging to twenty-four the membership of the Commission, and that sympathetic consideration be given by the appropriate United Nations authorities to the critical need for additional staff in the social field. The Commission also recommended that the question of expanding the scope of its programme for the period beginning in 1963 be discussed at one of its forthcoming sessions.

Also discussed at the Commission's thirteenth session was a report by the Secretary-General on the evaluation of selected aspects of United Nations technical assistance activities in the social field, prepared in accordance with Council resolution 731 G (XXVIII). The report incorporated the findings and recommendations of four consultants appointed for the evaluation project, which was carried out during the summer of 1960. The Commission recommended that the Council approve a number of principles and specific actions with respect to technical assistance in the social field, and recommend, *inter alia*, that an evaluation report on specific aspects be submitted to the Commission every two years.

In connexion with the implementation of resolution 767 (XXX) of the Economic and Social Council, UNESCO is organizing three survey missions to study the problem of the reduction of damage resulting from earthquakes and seismic sea waves. The first survey took place in the spring of 1961 in the East Asian region and will be followed by a seminar to be held in Japan, at which ECAFE will be represented. In addition, the United Nations and UNESCO are co-operating with the Government of Japan in the development of a seismological and earthquake engineering centre.

B. REGIONAL ECONOMIC COMMISSIONS

The past year has seen a further advance in the work of the four regional commissions and a consolidation of some major ventures initiated by them. The scope and diversification of activities of the Economic Commission for Africa are gradually reaching a level comparable to that of the other regional commissions. The Economic Commission for Latin America made progress in two main fields: in the outstanding success of its advisory groups to Governments coupled with intensive training in development economics and planning; and in the development of the Latin American Free Trade Association and in Central American integration. The Economic Commission for Asia and the Far East carried forward activities leading to the first session of the Conference of Asian (economic) Planners, made further advances in the Mekong Project and started the first in-service training scheme for Asian economists. The Economic Commission for Europe gradually brought to fruition a number of projects on which systematic work had been done over the past years, e.g. the European Convention on Commercial Arbitration was signed during its last session in April 1961. ECE is also seeking to reorient its activities so as to make them of the greatest possible use in the economic development of under-developed countries, both in Europe and elsewhere. A regaining of full dynamism in the work of ECE must, however, await a better climate in East-West relations.

Three inter-related approaches to their tasks gave a new and effective direction to the work of the regional commissions during the past year.

The first was the acceptance by Governments of the necessity for short-term and long-term planning of comprehensive economic development on the national level accompanied by a keen awareness of the desirability of complementing national planning by a regional approach to the planning of economic and social development.

This general change of attitude towards economic planning was world-wide in scope but showed itself differently in the various regions. Advisory groups to Governments on development planning first appeared, and were tried by ECLA, in Latin America, while ECAFE promoted economic development by analysing systematically one sector of economic activity after the other. ECAFE and ECA, at their last sessions, also decided on the use of the advisory groups and panels.

A related trend, which assumed considerable importance throughout the family of the United Nations during the year, was a heightened emphasis on training and education. For the regional commissions there was a close relation between the need for training and the acceptance of economic planning, which has led to an increase in requests by individual Governments for advisory groups. The effectiveness of such groups in almost all economically under-developed countries depends largely on the accelerated training of government economists and administrators, who are needed so that national planning mechanisms and processes can be carried on by them instead of the limited time during which advisory groups can be made available being extended.

The third novel approach concerns the regional commissions' response to the need to expand United Nations capacity to assist in economic and social development planning. The device evolved is that of creating institutes capable of providing both advance teaching in the problems and techniques of economic planning and advisory services to Governments at their request in this field. Such institutes would be of an autonomous character but closely related to the regional commissions and working under their auspices. The United Nations Special Fund has recognized the importance and validity of this approach to economic development in its attitude towards the request of a number of Latin American Governments for Special Fund assistance in the establishment under ECLA auspices of an Institute for Planning Economic Development, a request which was endorsed by ECLA at its last session in its resolution 199 (IX). ECA requested its Executive Secretary to pursue negotiations for the creation of a training and research institute for economic and social development in Africa. The establishment of such an institute was also requested in a draft resolution submitted by the African Member States to the General Assembly. ECAFE also requested the Secretariat to explore the possibility of developing current and prospective training programmes into an Asian Institute of Economic Development.

The general acceptance of planning as a rational approach to economic development and the desire to emphasize the regional economic commissions' role fully in this regard came at a time when the resources of these commissions were already severely strained and thus presented, as a matter of urgency, the question of how the United Nations could increase the resources of the regional commissions and of the programmes of technical co-operation to meet the large stream of requests, particularly for advisory groups and training facilities for economic planners.

The solution to this problem that commended itself to Member Governments involves further decentralization of economic and social activities of the United Nations, including its programmes of technical co-operation, which would enable full use to be made of the experience of the regional commissions, confidence in which was expressed in resolution 793 (XXX) of the Economic and Social Council and resolution 1518 (XV) of the General Assembly.

1. Economic Commission for Europe

At its sixteenth session in April 1961 the Commission considered its work as a whole, together with the relevant resolutions of the Economic and Social Council and the General Assembly. It also reviewed the economic situation in Europe. Among its decisions were resolutions on the following subjects: the economic and social consequences of disarmament, on which the Commission invited the Executive Secretary to furnish the Secretary-General with any assistance he might request in preparing the study called for in General Assembly resolution 1516 (XV); co-operation with underdeveloped countries, on which the Commission suggested a study of the development of trade relations between Europe and the less developed countries; the role of ECE in the field of the rational utilization of water resources; decentralization of United Nations economic and social activities and the strengthening of the regional economic commissions in the field of technical assistance; the development and strengthening of the work of ECE; the work of the Committee on the Development of Trade, suggesting, in particular, that it prepare recommendations that would help towards removing the economic, administrative and trade-policy obstacles to the development of trade between member countries of ECE; productivity of labour; and future meetings of senior economic advisers, to be convened by the Executive Secretary on subjects selected by him in consultation with member Governments.

The ECE secretariat co-operated with the Secretariat at Headquarters on a number of specific projects, especially in the field of industrialization. It collaborated also with the secretariats of ECAFE, ECLA and ECA and contributed to the technical assistance programme of the United Nations.

Contacts with the specialized agencies, IAEA and inter-governmental and non-governmental organizations were maintained along established lines. The secretariat continued publication of periodic surveys and reviews, including the *Economic Bulletin for Europe* and the annual *Economic Survey of Europe* as well as a series of specialized statistical bulletins and the monthly summary, *Statistical Indicators of Short Term Economic Changes in ECE Countries.*

Agriculture

The Committee on Agricultural Problems continued to review the market situation of the major agricultural commodities and to exchange information on current agricultural policies. The Committee's subsidiary bodies were concerned with the standardizations of fruits and vegetables in intra-European trade, with the establishment of sales contracts for certain agricultural products and with problems of mechanization of agriculture. The secretariat prepared a review of the prospects for production and demand, *European Agriculture in 1965.* An *ad hoc* meeting of experts discussed methodological problems of production projections. The secretariat continued to issue its annual report, *Prices of Agricultural Products and Fertilizers.*

Coal

The Coal Committee's activities concerning problems of production and trade have continued. More emphasis has been placed on the subject of the competitive position of coal versus other forms of energy. The procedure for the exchange of technical information between countries of east and west Europe was extended to include information on sales promotion and development within the coal industries, with the secretariat facilitating such exchange. The meeting of experts on the concentration of workings and mechanization of mining operations proved a useful means of promoting productivity in the coal industry. The Coal Trade Sub-Committee reviewed the coal market prospects at quarterly intervals.

Gas

The secretariat has completed its report, "The Development and Prospects of the European Gas Industry 1956/1960", in which particular emphasis has been given to the rapidly increasing importance of natural gas both from European and other sources. The problem of the flexibility of the gas industry and its economic implications have also been studied, e.g. the underground storage of gas, the application of various tariff systems and the economy of transport of gas over long distances. At its sixteenth session, ECE recognized the effective work done so far by the Working Party on Gas Problems and, in view of the importance of the steadily growing influence of gas on the European economy, decided to convert the Working Party into a Committee on Gas.

Electric power

The Committee on Electric Power continued to review the current situation and future prospects of Europe's electric power supply industry, endeavoured to promote a rational use of the continent's electric power resources and facilitated exchanges of information for this purpose. Questions studied by the Committee included some aspects of power supply at peak periods, problems of investment choice, the design and operation of thermal power stations, the legal position of electricity undertakings, rural electrification, the evaluation of hydro storage potential and regional diversity of hydro resources in different seasons.

Housing

The secretariat, in its annual review for 1959, examined current developments and future prospects in the field of housing, building and town planning. A comprehensive study of the housing situation in Europe was started. With the assistance of rapporteurs, work progressed on two pilot inquiries into: (*a*) the private financing of housing and (*b*) the planning and cost of different types of layout for new residential areas. The study on rural housing was continued and preparations were made for two major meetings: a symposium on urban renewal (June 1961) and a housing seminar, primarily intended to assist developing countries (October 1961). The encouraging results of a preliminary inquiry into actual house-building costs led to the commencement of a wider inquiry on this subject.

Industry and materials

The *ad hoc* Working Party on Contract Practices and Engineering continued its activities; the economic aspects of automation were studied by experts; and a study of production and export of capital goods in the field of mechanical and electrical engineering was continued.

Inland transport

The main questions discussed in the course of the year were: a draft convention on working hours for crews of motor vehicles engaged in international road transport; a draft convention on special equipment for the transport of perishable foodstuffs; general conditions governing contracts for international furniture removal; unified European regulations concerning road traffic signals; equipment of road vehicles; and unified European regulations for signalling on inland waterways.

Steel

The broad trends of the European and world steel markets in 1959 were examined in the annual review prepared by the secretariat. In addition to the *Quarterly Bulletin of Steel Statistics for Europe,* a volume on the world steel trade was published. The relative contribution to total crude steel output of the different steelmaking processes was the subject of a special report; and the problems, within the steel industry, of productivity and of the economic aspects of automation were studied further. Work continued on the standardization of general conditions of sale of steel products, and a study on the use of steel in the building and civil engineering industries was started.

Timber

Developments in 1960 and 1961 and prospects in 1961 in the European market in sawn softwood, hardwoods (including tropical hardwoods), pulpwood and pitprops have been kept under review. Work has been started on a study of European timber trends and prospects, 1950-1975, and specific problems of the utilization of forest products have received further attention. Study tours, a training course and study group meetings have been held on forestry and wood-processing questions.

Development of trade

The Committee on the Development of Tdae at its ninth session conducted its annual review of east-west trade in 1959/1960 and considered prospects for the year ahead. It discussed the effect on intra-European trade of efforts to achieve a greater degree of economic integration on a sub-regional basis in Europe; examined long-term trade and payments arrangements; drew up recommendations on the basis of a secretariat study for the enlargement of the scope of multilateral transferability and greater flexibility in payments arrangements; and, after considering the work of other regional commissions in the field of trade, asked the secretariat to explore the possibility of a contribution by ECE and its member Governments to the solution of problems arising in the foreign trade of countries participating in other regional commissions. Among other questions under consideration by the Committee were the improvement of international arbitration facilities and procedures, insurance problems, the protection of patents and technical inventions; the simplification and standardization of export documents; trade fairs and technical shows; standardization of general conditions of sale; problems of trade in machinery and equipment; and trade in consumer goods. A Consultation of Experts on east-west trade was held in conjunction with the Committee's annual session.

In response to the request by ECE in resolution 6 (XV), the importance of which was emphasized by the Assembly in resolution 1519 (XV), the Committee also discussed the action which should be taken to improve the general methods of trade between ECE countries. The Commission decided to convene a meeting of trade experts for this purpose. At this meeting, held in May 1961, the experts examined problems in trade relations between countries with different economic systems and explored possibilities of introducing measures which would improve these relations. Their report will be conveyed to the Committee for further consideration at its session in September 1961.

The European Convention on International Commercial Arbitration as well as the Final Act, negotiated by the Special Meeting of Plenipotentiaries, was signed by a large number of ECE countries during the 18th meeting of the sixteenth session of the Commission on 21 April 1961.

Conference of European Statisticians

During the period under review, the eighth plenary session of the Conference was held and meetings also took place on comparisons of systems of national accounts for use in Europe, industrial statistics, index numbers of agricultural production (with FAO), electronic data-processing machines, and classification of private consumption expenditure.

Other activities

Other activities of ECE and its secretariat included: work on problems of special interest to countries of southern Europe; productivity of labour; water pollution control problems in Europe; energy problems in Europe; production and export of capital goods; and automation.

2. Economic Commission for Asia and the Far East

At its seventeenth session in March 1961, at New Delhi, the Commission noted that per capita food production in the region continued to remain below pre-war levels and that the ratio of government revenue to national income in most countries had not improved. For several countries, external assistance was one of the most stable elements in their balance of payments. The Commission emphasized the need for greater external assistance, resources for which would increase if agreement was reached on disarmament.

The Commission adopted a resolution (35 (XVII)) and a work programme which emphasized the growing role of its secretariat in operational functions, particularly in respect of technical assistance and Special Fund projects, and increased advisory services to Governments in respect of their economic and social development plans and policies. The Commission laid down principles and procedures to ensure that the policy of concentrating on the most urgent and important tasks in the work programme could be implemented on a continuing basis. It noted the progress made by member Governments and by the secretariat in implementing its resolution 31 (XVI) on regional co-operation for development of trade and industries in the ECAFE region, and decided to convene high-level groups of experts which would prepare a long-range programme of action to promote regional co-operation in the economic and social fields.

Economic development and planning

The Working Party on Economic Development and Planning in 1960 dealt with the problems of transport in relation to over-all economic development and emphasized the need to make projections of transport requirements and to analyse the economic and social costs and benefits of transport investments, and, for these purposes, to develop adequate statistics and train personnel in transport economics and planning. A joint ECAFE/FAO expert group made recommendations on the techniques of setting targets in agriculture; another group of experts formulated techniques for industrial planning on the basis of industrial cost data. The Workshop on Budget Reclassification and Management emphasized that the countries of the region should adopt programme and performance budgeting on the lines of the manual prepared by the United Nations Secretariat. The first in-service training programme in economic development was completed in March 1961, and a second one was launched in June 1961. The Commission requested the Conference of Asian (economic) Planners, scheduled to meet in September 1962, to consider the question of establishing an Asian institute of economic development.

Trade

The Committee on Trade continued to examine the implications of trade policies of the European Economic Community (EEC) and of the European Free Trade Association (EFTA). It noted that the decision of the EEC Council to replace, in respect of a few products, *ad valorem* rates, with specific minima, by composite rates would adversely affect exports of a number of Asia's manufactured products. The proposals for a common agricultural policy by EEC countries, the "basic materials list" attached to the Stockholm Convention establishing EFTA, and the special bilateral and other arrangements among EFTA members concerning trade in agricultural products, the Committee felt, should be studied from the viewpoint of the ECAFE region's trade. The Committee endorsed the ECAFE Code of Recommended Customs Procedures, drawn up by the Working Party on Customs Administration, and recommended the holding of an Asian trade fair. The Commission, in endorsing the report of the Committee on Trade, considered that the intra-regional trade promotion talks had become a well-established and useful means of promoting intra-regional trade, that group consultations, for example, on pepper prices recommended by the countries participating in the talks, would help to develop habits of regional co-operation, and that the secretariat should continue its work on commodity-by-commodity trade studies, commercial arbitration, and training in trade promotion.

Industry and natural resources

The Working Party on Small-Scale Industries studied the problems of food preservation and canning industries of the region, with a view to mitigating the effects of seasonal surpluses and shortages in the supply of food and fruits. It recommended the establishment of a regional research co-ordination centre and the convening of a panel of experts to assist Governments in co-ordinating their national plans for the development of these types of industries.

The Working Party of Senior Geologists published the Regional Geological Map of Asia and the Far East. It took measures to complete the Regional Minerals Distribution Map in 1961 and the Oil and Gas Map for Asia and the Far East in 1962, and to prepare a metallogenic map and a tectonic map for the ECAFE region. It recommended the establishment of a regional geological survey centre and aerial survey training centre, and urged the countries to co-operate in carrying out joint geological surveys of mineral and groundwater resources.

The Sub-Committee on Mineral Resources paid special attention to the development of intra-regional and international trade in minerals through means such as long-term trade arrangements. It recommended that a second symposium on the development of petroleum resources in Asia and the Far East should be convened in 1962, and that studies on the development of the copper, lead, zinc and bauxite resources of the region be carried out.

The Conference on Pulp and Paper Development in Asia and the Far East, co-sponsored by ECAFE, FAO and the United Nations Bureau of Technical Assistance Operations (BTAO), made an appraisal of the region's resources of raw materials for this industry, of trends in pulp and paper production and demand, and of the investments, estimated at $US4,500 million, required by the region to develop this industry. It also recommended measures for the co-ordinated development of small-scale and large-scale production in the region.

The Working Party on Housing and Building Materials reviewed the report of the study tour of housing and building materials experts to Europe in June-July 1960, and the work of the two regional housing centres, at New Delhi, India, and at Bandung, Indonesia. It discussed the problems of estimating and reducing building costs, and noted the need for low-cost school buildings in the educational development programmes of the countries of the region.

The Sub-Committee on Metals and Engineering reviewed trends in iron and steel production and consumption in the region, recommended adoption of the metric system of weights and measures, and examined the feasibility of developing aluminium, foundry, machine tool, and shipbuilding industries in the ECAFE region.

The Committee on Industry and Natural Resources noted the progress and problems of industrialization in the region. It emphasized the need to develop and coordinate industrial research activities in the region for broader regional use, and to identify and promote joint industrial and mineral resources development projects which would strengthen regional co-operation. The Committee further felt that the ECAFE secretariat, BTAO and the Special Fund should assist Governments to evaluate their industrial projects and to carry out industries possibilities surveys. It recommended establishment of one or more regional petroleum institutes, and decided to convene a series of seminars on subjects such as industrial estates, community facilities in relation to housing, energy resources and electric power development, development of petroleum resources, and basic chemicals and allied industries, and to constitute an advisory panel of experts to advise Governments on rural electrification problems.

Inland transport and communications

The zonal meetings of experts of the countries participating in the development of an Asian Highway reached agreement on matters concerning the routes to be included, priorities to be accorded in the construction or up-grading of roads, a draft code of road signs and signals and pavement markings, based on the United Nations 1949 Protocol on Road Signs and Signals, and on other technical details.

The Highways and Highway Transport Sub-Committee requested the zonal meetings to assemble data on the technical and financial assistance required to implement the Asian Highway project. It discussed the problems of highways administration and financing and the development and co-ordination of research and training facilities, including their use for regional purposes, and reviewed the result of study weeks on traffic engineering and highway safety convened at its request by Governments.

The Inland Transport and Communications Committee requested the secretariat to study questions relating to uniform systems of accounting and statistical procedures and the financial aspects of transport development, including taxation, levies and subsidies, on transport systems. A seminar on promotion of tourism was held in April 1961 as a step towards implementing Commission resolution 32 (XVI), designating 1961 as "Visit the Orient Year". The Committee decided: to appoint a regional research adviser who would coordinate and advise on research work in the countries of the region on railways, to arrange experiments with new types of inland water craft and to intensify work, in co-operation with the International Telecommunication Union, to promote the development of telecommunications in the region.

Food and agriculture

The Joint ECAFE/FAO Agriculture Division continued its work on various economic problems of agriculture in the region. It prepared projections of demand for, and supply of, rice. It sponsored research and case studies on the relationship between agriculture and industry, on the contribution of community development to agriculture, on capital formation in the rural sector, and on utilization of agriculture surpluses for economic development. It decided to convene, jointly with FAO, technical meetings on marketing aspects of price stabilization policies and on agricultural financing and credit.

Water resources development

The Committee for Co-ordination of Investigations of the Lower Mekong Basin made rapid progress in implementing the Mekong project, with assistance amounting to an equivalent of $US12.5 million from Australia, Canada, China, France, India, Iran, Israel, Japan, New Zealand, the Philippines, the United Kingdom and the United States as well as from the United Nations technical assistance programmes, the Special Fund, the ILO, FAO, UNESCO, WHO, WMO and IAEA. Thirty-eight separate but co-ordinated components of the project were under way, and the Committee entered the stage of planning, including economic appraisal of four tributary and four main-stream multiple-purpose dams and navigational improvement work. The secretariat assisted the Committee in planning and implementing projects relating to engineering, navigation, and geologic and mineral resources, surveys of the Mekong basin. ECAFE convened the fourth Regional Conference on Water Resources Development, which reviewed the progress made by the countries of the region during 1951-1960 in developing their water resources. The Commission decided to convene, in co-operation with WMO, a second inter-regional seminar on hydrology, a symposium on the development of groundwater resources and a symposium on flood control in deltaic regions. The Government of India offered to establish a regional research and training centre on the development of groundwater resources.

Statistics and other research

A seminar on evaluation and utilization of census data was also convened as a part of the programme of assistance. Case studies on sources and methods of increasing savings were initiated in co-operation with the central banks of several countries.

Social affairs

A study, *Contribution of Rural Community Development Programmes to National Economic Development in Asia and the Far East*, including two case studies, was completed and published. Preparations, including an informal inter-agency meeting, and a preparatory meeting, for organizing, in 1961, a seminar and an Asian conference on community development were completed. The secretariat continued studies on the various aspects of the relationship between population growth and economic development, and initiated case studies on the relationship between land reform and community development. A United Nations seminar on family and child welfare was convened in 1960. The secretariat assisted member Governments on social welfare problems, including those relating to the reform of prison systems, socio-economic surveys of hill tribes and balanced economic and social development.

Technical assistance and advisory services

The technical assistance activities of the United Nations in the ECAFE region were increasingly integrated into the work of ECAFE. Regional projects of

BTAO were implemented in close collaboration with the ECAFE secretariat and the services of that secretariat were utilized in the planning and implementation of country programmes, Special Fund projects and in the operations of special survey missions sent by BTAO to the countries of the region. The ECAFE secretariat expanded its advisory services to member and associate member countries, and continued to assist and advise the Committee for Co-ordination of Investigations of the Lower Mekong Basin and its Executive Agent. It also continued to be represented on the advisory boards and committees of a number of regional training and research institutions dealing with railways, waterways, housing, demography, statistics and sociological studies.

3. Economic Commission for Latin America

Economic development

Concern about the social and economic problems facing Latin America was expressed at the ninth session of the Economic Commission for Latin America, held at Santiago, Chile, from 4 to 15 May 1961. Attention was drawn by a number of delegates to the findings of the *Economic Survey for Latin America, 1960,* which showed that the region's output had for some years barely kept ahead of the rising population, so that per capita incomes had shown little change. During the last two years, there had been a further weakening of commodity markets, while import demand had continued strong. Hence the region was still faced with the problem of a chronically inadequate supply of foreign exchange.

There was general agreement on the need for an international policy of co-operation in solving the region's problems, which would necessitate steps to increase and stabilize the proceeds of the region's exports. Emphasis was laid on the potential significance of an increased inflow of capital from the developed countries, which would ease the shortage of savings and of foreign exchanges and in this connexion, several delegations welcomed the recent initiative of the United States Government.

The main emphasis, however, was on what had to be done by the Latin American countries themselves to reinvigorate the region's economic development and stress was laid on the need to extend schemes for economic integration, so as to promote intra-regional trade in manufactures. Steps taken towards the integration of Central America, the progress made towards the Latin American Free Trade Area, and the moves being made by a number of countries to increase trade among themselves were noted with appreciation and the secretariat was encouraged to continue its work along these lines and to study the integration and co-ordination of national development plans.

The importance of removing economic and social obstacles to growth was particularly emphasized and in this connexion delegations advocated: (1) the reform of land ownership, as a precondition for inducing in the agricultural sector a more dynamic response to the requirements of economic growth; (2) drastic educational reforms so as to eliminate illiteracy and to prepare the population technically and culturally for further economic development; (3) the overhaul of the structure of taxation and the improvement of the collection of taxes, so as to mobilize financial resources, share more equitably the incidence of taxation and use fiscal policy to stimulate essential activities. In this connexion, support was given to the activities which the secretariat was carrying out jointly with the Organization of American States and with the co-operation of the Harvard University Law School in connexion with the long-range study project for the analysis of tax administration techniques and of the ideas and objectives characterizing fiscal policy in the Latin American countries.

The Commission welcomed the current practical emphasis in the secretariat's work, in particular the assistance being given by ECLA, as well as by the United Nations Bureau of Technical Assistance Operations and the specialized agencies, in fields such as agriculture, forestry, electric power and water resources, and in various areas of the manufacturing sector, such as the chemical industries; and in helping Governments to plan and bring about changes in the economic and social structure of their countries.

The need for programming as an effective instrument for the rational allocation of resources was clearly recognized. In this connexion, the Commission urged that the work of the advisory groups—organized by ECLA and BTAO with the active co-operation of FAO and assistance from other specialized agencies—should be intensified and extended. Because of the urgent need for this type of assistance to Governments and for more widespread training of personnel, there was universal support for the proposal to set up an institute for planning economic development, outlined in the course of a statement made on behalf of the Managing Director of the United Nations Special Fund.

The concern with the need for speedier development was also expressed in the references to the problem of inflation. The Commission considered that a policy of containing inflation was essentially one of promoting balanced growth by eliminating the existing structural weaknesses. The best solution lay in adopting consistent and comprehensive programmes on both the national and international levels.

Stress was laid on the urgent necessity of making a joint evaluation of all socio-economic statistics, taking as a point of reference the various national accounts tables, with a view to the establishment of programmes for their improvement that could be applied forthwith.

Regional integration programmes

The third session of the Trade Committee, held jointly with the ninth session of the Commission, provided Governments with an opportunity of examining trade policy and the progress made since the Committee's previous session at Panama in 1959 towards the economic integration of Latin America.

Member Governments reaffirmed their conviction that regional economic integration is an efficient means of accelerating economic development and of raising the living standards of the people of Latin America; they also confirmed their intention of achieving such integration by stages. With this aim in view, the Committee agreed that future work in this field should be carried out in accordance with the Montevideo Treaty setting up the Latin American Free Trade Area, and the General Treaty on Central American Economic Integration, which establishes a common market in that region of Latin America.[1] The Committee welcomed statements made by the representatives of some South American countries which are not yet members of the Montevideo Treaty, in which they indicated that their Governments intended to participate in that agreement as soon as it should prove possible. At the same time it was considered that a broader and more specific objective should be to establish the necessary relationship between these two Treaties.

Although there was a clear indication that the two Treaties offer a suitable way to achieve regional integration, it was also emphasized that the Latin American countries should take steps to unify some aspects of their respective trade policies; one of these was the adoption of a uniform tariff nomenclature and some co-ordination of customs policies. Moreover, it was considered desirable to commence studies of principles on which to base co-ordinated monetary, exchange, fiscal and manpower policies and those relating to treatment of capital, since such co-ordination was considered essential for the purpose of establishing the Latin American common market.

The Committee also stressed that it was equally necessary to seek greater co-operation between this regional movement and other similar ones being carried out in other parts of the world, and to explore new prospects for trading with countries in other continents.

The Bank for Economic Integration was set up in May 1961 at Tegucigalpa, with a capital of 16 million dollars. It is also to receive financial assistance for its operations from international and foreign organizations. It will concern itself with projects of a regional nature only.

Agriculture

The keynote of the Commission's discussion on agricultural policy was the need for land reform. There was almost universal agreement on this need, but there were differing views as to how land reform could best be achieved, ranging from redistribution of land within the shortest possible time by means of gradual processes which would not involve serious distortions of political and social systems, to the idea that land reform could not take place without radical changes in these systems. A third view attached greater weight to those programmes which, under existing land tenure systems, aimed at improving the operation of the agricultural economy.

Importance was also attached to the role of agricultural commodities in regional integration programmes, as was shown in the work being done in Central America. The part to be played by agriculture in the Montevideo Treaty was also stressed and it was pointed out that the Treaty provided a valuable opportunity for remedying certain distortions apparent in the agricultural structure of Latin America, resulting, *inter alia,* from its complete isolation from regional competition which that sector had been developing in the countries of the area, where agricultural production lagged behind demand.

Social aspects of development

It was generally recognized that the social situation in Latin America was in many respects unsatisfactory as a result of insufficient concern with social problems, and the need to take steps to improve social conditions in the region was regarded as a matter of great urgency.

The meeting of experts on social aspects of economic development held at Mexico City in December 1960 had provided better knowledge of the subject. It was felt that social progress must be considered as the best method for utilizing a nation's own resources, that social change that would ultimately lead to optimum economic productivity must be promoted, and that economic measures contributing to social progress must likewise be encouraged, with particular reference to housing, education and health services. In this connexion, the Conference on Education and Economic and Social Development to be held in December 1961, under the joint sponsorship of UNESCO, ECLA, the United Nations Bureau of Social Affairs and the OAS, was considered to be of particular importance.

The Committee stressed the great contribution which demographic studies could make to the programmes of economic and social development, and recommended that they be pursued and intensified.

Attention was also paid to the need for the development of information media in under-developed countries, on the basis of recommendations by UNESCO.

Industrial development

Special interest was expressed in the channelling of industrial studies and kindred activities along lines which would reflect current trends towards increased intra-regional co-ordination and complementary activities.

There was a recognized tendency among the countries of the region to develop their industry along more balanced lines by assigning a more important role to the local processing of their raw materials, fuels and intermediate products; this trend was generating a steadily increasing demand for basic production equipment. Special consideration was given to problems of adequate financing of sales of such equipment, both in domestic and in foreign markets, as well as to the need for sufficient medium- and long-term credit facilities.

The work done by the ECLA/FAO/BTAO Pulp and Paper Advisory Group was reviewed, as well as that carried out in conjunction with FAO on trends in demand, production and trade with respect to forest products in Latin America. The need to continue this work was stressed, and it was indicated that FAO could usefully intensify its efforts in Latin America to make forest resources an important factor in the economy of the area, in view of their nature and the abundant supplies available.

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[1] The General Treaty on Central American Economic Integration, the Protocol to the Central American Agreement on the Equalization of Import Duties and Charges, and the Agreement setting up the Central American Bank for Economic Integration were signed at Managua in December 1960, by four of the Central American Governments. These agreements established the machinery setting up the common market and leading to the formulation and implementation of a joint economic development policy. Free trade was to apply in the case of the majority of Central American products, the remainder to be incorporated in the over-all free trade system by means of progressive tariff reductions or increasing import quotas within five years at the most. The project for the equalization of import duties and charges was almost ready and would be submitted to Governments in the course of 1961.

The need for sustained and co-ordinated efforts in promoting technical research was stressed, with an indication that this might best be done on the basis of a certain division of labour between interested countries.

The importance of the development of the chemical industry in Latin American countries was also stressed, as was the need for entrepreneurs and industrialists to exchange views on the possibilities of promoting agreements on specialization and complementarity in production as between the various countries.

Energy and water resources

Preparations for the forthcoming Latin American electric power seminar, to be held at Mexico City in August 1961, were reviewed at the ninth session of the Commission. At this seminar, attention will be mainly centred on the programming and co-ordinated development of electricity resources.

In reviewing the work on water resources, the Commission stressed the urgent need to continue with studies on the integrated, rational and co-ordinated utilization of hydroelectric resources. It was also suggested that the secretariat should prepare methods for the collection, processing and interpretation of basic data relating to the water resources common to several countries in the region.

Technical assistance and Special Fund activities

The Commission considered that decentralization of some technical assistance activities to the ECLA secretariat would increase the efficiency of the programme by bringing to bear upon the programming of technical assistance and execution of projects all the knowledge and experience accumulated in the secretariat. Among specific proposals were: direct assistance from the ECLA secretariat to Governments at the stage of formulating technical assistance programmes; the gearing of such programmes, in those countries where advisory groups are operating, to the high priority projects arising from the work of these groups; consultation at the pre-project stage in relation not only to technical assistance but also to Special Fund projects; more administrative flexibility; and the establishment of an operational technical assistance unit within the Commission.

Co-operation and co-ordination with the Organization of American States and the Inter-American Development Bank

The Commission endorsed the agreement reached between the secretariats of ECLA, the OAS and the Inter-American Development Bank, which it was felt would result in substantial advantages through the joint action programmes and the pooling of available resources.

Under the terms of the agreement, ECLA would be the executing agent for joint projects on the programming of economic development by means of advisory groups, whereas the OAS would be the executing agent for the annual economic survey of Latin America, with the participation of ECLA and the co-operation of the IDB in matters of its own competence. The survey would be of a technical nature and both organizations would be free to set forth their own views and put their suggestions to Governments on the basis of the information and analysis thus provided.

At the suggestion of the OAS, a joint OAS/FAO/ECLA study of Latin American agriculture would be carried out, with special reference to agrarian structures, as part of a comprehensive approach covering other problems of agricultural development.

Apart from these three main areas of co-operation, other joint projects were envisaged, particularly in relation to transport and some industrial programmes.

United Nations building in Santiago

Plans for the building were selected on a competitive basis during the months of September and October 1960. The arrangements contemplated for its construction are proceeding satisfactorily, and it is anticipated that the building should be completed by mid-1963. During the Commission's ninth session, the cornerstone of the building was formally laid, and representatives of member Governments of the Commission had an opportunity of examining the proposed site.

Admission of British Honduras (or Belize) as an associate member of the Commission

British Honduras (or Belize) was admitted at the ninth session as an associate member of the Commission, which recommended that studies be undertaken by the secretariat concerning the possible repercussions of closer co-operation between that country and the remainder of Central America.

4. Economic Commission for Africa

At its third session, held in Addis Ababa from 6 to 18 February 1961, the Commission reviewed the economic situation and trends in Africa, discussed some of the urgent problems facing African countries and adopted the programme of work and priorities for 1961-1962. It emphasized the need for accelerated economic and social development following the rapid political changes taking place in the continent. Specifically, it decided to pay close attention to the problems of commodity price stabilization, the promotion of trade, the development of industry, energy resources, transport and full utilization of the continent's manpower resources. While each country should make full use of its available resources, and serious consideration should be given to sub-regional and regional co-operation, including the pooling of resources, it was none the less felt that the early realization of Africa's economic and social aspirations would require large scale international assistance and close co-operation.

Development programming

The Commission agreed that accelerated and balanced economic development presupposed comprehensive planning and that policy should be formulated on the basis of a thorough investigation of available resources and the prevailing economic and social structure as well as on an assessment of the main directions of economic growth. Attention should be given to regional and subregional development programmes, particularly in the fields of transport, production and distribution of electricity, river basin development, agriculture and industrialization. The Commission, noting the capital needs of Africa, requested the Executive Secretary to study the possibilities of establishing an African development bank and to report to its next session.

Commodity prices

The Commission expressed concern with the current weakening of primary commodity markets and the persistent fluctuations in commodity prices which made unstable the earnings of most primary exporting countries. In most African countries, price instability inhibited proper planning for economic and social development, and ECA decided to call a meeting of African primary producers to study ways and means of stabilizing the prices of African primary products. It recognized, however, that the complex problem of commodity price stabilization required international cooperation and that the initiative of African countries in this respect should be related to efforts being made on a world-wide scale.

Trade

The Commission discussed the implications of European economic groupings on African economies and requested its Executive Secretary to keep under constant review the impact of such groupings on the economies of African countries, and to undertake studies on methods of creating regional markets capable of supporting African industrialization with a view to creating an African common market. It established a Standing Committee on Trade to study all important problems in this field and authorized the Executive Secretary to constitute working parties under the Committee's auspices to consider the special problems of the various sub-regions.

Industry, transport and natural resources

The role of industrialization in rapid economic and social development was emphasized by the Commission as a means, not only of transforming the traditional structure of African economies, but also of providing employment for the rapidly increasing labour force. It was considered that new industries should be widely dispersed, particularly for the processing of local raw materials for domestic consumption. ECA also recognized that the scope for the processing of mineral and agricultural raw materials was still quite great and that the power potential to permit the establishment of such industries was very considerable.

The Commission emphasized the importance of an effectively integrated transport system, both at the national and sub-regional levels, as a means of promoting economic development, as well as a plan for the development of transport for the whole region embracing all systems of transport. It requested the Executive Secretary to convene a West African transport conference of Ministers of Trade and/or Works in 1961 to discuss the general lines on which the road transport of that sub-region should be developed. The Executive Secretary was also asked to undertake a study of transport problems in East Africa.

The survey of African natural resources prepared on its behalf by UNESCO was noted by the Commission, which requested the Executive Secretary to study with the executive heads of UNESCO, FAO and other specialized agencies concerned appropriate means of jointly convening and organizing a conference on the scientific survey of the continent's natural resources. The Executive Secretary was also requested to prepare a detailed inventory of energy resources of Africa, and to undertake a survey of their systematic development.

Food and agriculture

The Commission drew attention to the still predominant dependence of Africa on agriculture, and expressed concern that the first FAO Conference on the Food and Agricultural Situation in Africa held in Lagos in November 1960 had indicated that the per capita food availability in the region as a whole had declined in recent years and that during the last three years food production had actually fallen below the pre-war per capita level. This tendency coupled with the deficiencies in basic diets in many parts of the region, in terms of the intake of proteins and other nutrients, called for systematic policies for the production and distribution of foodstuffs and for the necessary education to make the people aware of the need for balanced diets. ECA considered measures for ensuring the rapid expansion of output, improvement in the level of productivity and the diversification of the agricultural sector. It was recognized, however, that increased agricultural output should move in step with general economic diversification to reduce the vulnerability of African economies to excessive fluctuation of commodity prices.

Social aspects of economic development

The Commission emphasized the economic and social transformation of the continent and the necessity of avoiding the mistakes made in Europe and other parts of the world during their industrial revolutions by ignoring the social problems consequent on rapid industrialization. It considered education as ranking foremost among these problems and urged that attention be given to all levels of education, and in particular to the revision of curricula in order to relate education to the particular needs of the region.

Great interest was shown in research to develop new techniques to cope with the numerous social and administrative problems of urbanization—problems such as housing, labour and employment, the supply of skilled manpower, migration and resettlement. The Commission also emphasized the important role of the human factor in the process of capital formation and economic development. It recommended sub-regional studies of the economic and social effects of racial discriminatory practices on the mobilization of all available resources for balanced economic development.

The Commission stressed five aspects of community development and social welfare: (*a*) the contribution of community development to the economic and social development of African countries; (*b*) the importance of the training of community development and social welfare workers in Africa; (*c*) extension of social welfare services and international assistance to the development of national social welfare programmes; (*d*) assistance to Governments in planning, organization and administration of national community development programmes; (*e*) strengthening the means of systematic exchange of information through study tours, conferences, workshops, and exchanges of personnel between African countries to enable them to benefit from each other's experience.

A resolution was unanimously adopted requesting the Executive Secretary to set up a standing committee of experts in social welfare and community development, to meet annually prior to the Commission's annual sessions and to report to it.

Statistics

The need for the increased availability of professional statisticians and middle-grade statistical staff to African Governments was stressed by the Commission, which recommended intensive training activities to meet this need. In the interim, the Commission suggested more technical assistance to Governments in statistics and welcomed the Executive Secretary's proposals for making available the services of regional advisers on short-term assignments in specialized fields. The Commission also recognized the need for encouraging maximum co-operation between African countries in statistics and recommended the circulation to all African countries of summaries of sub-regional statistical activities.

It drew the attention of the Second Conference of African Statisticians and the statistical offices of all African countries to the importance of improving the standards of comparability of African trade statistics and of organizing an improved service of trade statistics.

Training

The Commission welcomed the Executive Secretary's report on the various training activities envisaged by the secretariat and urged him to intensify his efforts to increase the number of fellowships available to Africans and of the training centres to be established under the Commission's auspices.

C. TECHNICAL ASSISTANCE ACTIVITIES

1. Expanded Programme of Technical Assistance for Economic Development

(*a*) OPERATIONS

The 1960 and 1961-1962 programmes

In 1960, the Expanded Programme provided technical assistance to 103 countries and territories, while another twenty-three countries and territories took part in regional and inter-regional projects. The total obligations incurred during 1960 amounted to $34.4 million, including a sum of $1.9 million which represents the final allocations from the Working Capital and Reserve Fund for projects approved under the contingency authority of the Executive Chairman of the Technical Assistance Board.

Experts drawn from seventy countries were engaged on 2,258 assignments in eighty-eight countries and territories. During the same period, 2,017 fellowships were awarded to nationals of 113 countries and territories for study in eighty-two countries and territories. The cost of equipment and supplies delivered in 1960 amounted to $1.4 million, representing about 5 per cent of the field programme.

The multilateral character of the Expanded Programme is well illustrated by the statistics relating to both the assignments of experts and awards of fellowships. More than a quarter of the experts serving under the Expanded Programme came from countries which were themselves receiving technical assistance, while over half of the recipient countries and territories also provided one or more of their own experts to serve abroad under the Programme. Similarly, an increasing number of countries whose nationals received fellowship awards were at the same time host countries for fellowship-holders from abroad. This growing trend led the Economic and Social Council to decide that, in future, the work of the United Nations in the field of technical assistance should be given the collective name of the United Nations Programmes of Technical Co-operation, while maintaining the established titles for the United Nations regular programme of technical assistance and the Expanded Programme of Technical Assistance as well as the organs related to them.

The regional distribution of the field programme in 1960 showed a further shift in favour of the African region. Although the rise was modest in terms of the total programme, it represented a 5.7 per cent increase over the expenditure for Africa in 1959. This increase was accompanied by fractional decreases in the percentage shares of three other regions. The steady rise in the share of the Programme carried out in Africa is one of the most striking developments in recent years. In the planned 1961-1962 programme, no less than 30.6 per cent of the estimated available resources is allocated to African countries and territories. This excludes assistance to the Republic of the Congo (Leopoldville), which comes under a different programme and is dealt with elsewhere in the present report (see chapter I).

The 1961-1962 programme, which is the first to be planned on a two-year cycle, calls for a total expenditure of $70,990,794 for the biennium, including a supplementary programme amounting to $9,009,825 for twenty-one newly independent and emerging countries in Africa.

Contingency authorization

The Executive Chairman's authority to make contingency allocations had enabled the Expanded Programme to meet difficult and unforeseen situations, especially in tropical Africa with its rapid political changes and in Chile, affected by a series of devastating earthquakes during May 1960. On a recommendation of the Technical Assistance Committee, the Economic and Social Council decided in August 1960 to raise the limit of authorization for urgent contingency needs from 5 per cent to 7.5 per cent of the estimated resources, mainly to provide additional assistance to newly independent countries and to countries expected to become independent in 1960 and 1961 (Council resolution 788 (XXX)).

A significant proportion of contingency allocations made in 1960 went to Chile and to newly independent countries. These included most of the former Non-Self-Governing Territories in French West and Equatorial Africa and Cameroun, Somalia and Togo, formerly Trust Territories, all of which became independent during the year. Similarly, contingency financing was provided in 1960 to certain African territories approaching independence, such as Sierra Leone, Ruanda-Urundi, Southern Cameroons and Tanganyika.

For 1961, the limit for contingency authorization is maintained at the new level of 7.5 per cent of the estimated resources.

Programming procedures

The 1960 programme was the fifth to be planned, approved and executed under the country programming procedures which were introduced in Economic and Social Council resolution 542 B (XVIII). In accordance with the decision taken by the Technical Assistance Committee at its 1960 summer session, a two-year programme was planned for 1961-1962 and is now in the course of implementation. Two-year programming was approved by TAC, however, only as an experimental step to be applied specifically to the 1961-1962 biennium, and it was felt that the next logical step would be project programming under which projects would be prepared and approved for their entire duration subject to a maximum period, although the funds would still be allocated on an annual basis.

At its 1960 summer session, the Council approved in principle the adoption of project programming coupled with the elimination of agency planning shares and agency sub-totals from country planning targets. The Technical Assistance Board has further studied different aspects of future programming procedures and is submitting its recommendations to the 1961 summer session of the Technical Assistance Committee. The Board recommends, *inter alia,* the extension of the two-year programming cycle for another biennium covering 1963 and 1964, an increase in the proportion of field programme resources to be set aside for regional and inter-regional projects and TAC authorization of long-term projects subject to a maximum period of six years.

Evaluation

Evaluation of activities under the Expanded Programme has continued to be a regular feature of TAB's annual report. Once again, the picture that emerges from an appraisal of the relevant factors is, on the whole, encouraging. This is particularly true of government planning and co-ordinating machinery, which was strengthened in more than a dozen countries in 1960. Progress has also been reported in the supply of more adequate counterpart personnel, often as a result of the training activities conducted in previous years.

In the annual report of TAB for 1960, the general review of major developments relating to programme evaluation during the year was supplemented by a more intensive treatment of training institutes and centres established or assisted under the Expanded Programme since its inception. Information was collected on a total of 119 long-term and twenty-two short-term training institutes and centres. The long-term projects covered ninety-five national and twenty-four regional or inter-regional institutes. By 30 September 1960, 30,443 trainees had completed training in the eighty-five institutes and centres for which enrolment information was available. Although the data assembled for the report still contain a good many gaps, they indicate clearly that the training institutes and centres of the Expanded Programme have made a significant contribution to the diffusion of technical skills in the developing countries, particularly when the "multiplier" effect of training programmes is taken into account.

(*b*) FINANCES

Pledges and payments

The contributions pledged by eighty-five Governments towards the 1960 programme totalled $34,165,416, an increase of $4.5 million over the amount pledged for 1959, and $2.8 million over the comparable figure for 1958. Thirty-one Governments increased their contributions to the Programme in 1960, as compared with the sixteen Governments which had increased the amounts of their contributions in 1959. A significant increase resulted from the decision by the principal contributor to include in its contribution an amount representing the matching of payments made by recipient Governments toward local costs, calculated on the same percentage basis applied to the matching of voluntary contributions of other Governments, i.e. 40 per cent of total contributions.

The payments of 1960 contributions totalled $30,429,640 at 31 December 1960, or 89.1 per cent of the total pledge for the year. In addition, payments during 1960 of contributions outstanding for 1959 and prior years amounted to $3,486,296.

The upward trend in the financial support of the Programme in 1960 has been carried forward into 1961, when the revenue from voluntary contributions of Governments is expected to reach $41.8 million, or nearly $8 million more than the amount pledged for 1960.

Revenues from local costs assessments

Under resolution 736 (XXVIII), the Economic and Social Council approved an interim scheme for assessing recipient Governments for technical assistance provided in 1960 under the Expanded Programme, the contribution of each Government being computed on the basis of percentages of the total cost of experts' services provided to that Government by the organizations participating in the Programme.

On the basis of the provisional figures reported on total costs of experts' services rendered during 1960, the recipient Governments were assessed the equivalent of $2,069,842, of which $231,805 was met by provision of lodging in kind. Payments towards those assessments amounted to $1,292,203 as at 31 March 1961.

The Council, in its resolution 787 (XXX) of 3 August 1960, adopted a new scheme to become fully effective in 1963 which provides that the Governments obligations towards local costs will be calculated on the basis of a uniform percentage—i.e. 12.5 per cent—of the total cost of expert services provided to them. Under the interim arrangements for 1961, the initial local costs assessments amount to the equivalent of $2,601,820 payable in national currencies.

Utilization of resources

With a view to achieving full utilization of all resources available for programme operations, the Board decided in 1960 to break down the earmarkings of funds to the organizations by groups of currencies, and to establish control measures aimed at promoting an increased usage in currencies which in past years had presented difficulties in utilization. Also in 1960 a number of Governments agreed to full or partial convertibility of their contributions to the Programme. As a result, substantial progress was made in 1960 in using—and thus reducing the available balances in—a number of currencies with which the Board had been particularly concerned. At the end of the year, no currency presented an uncommitted balance in excess of $500,000 and greater than one year's contribution.

(*c*) ADMINISTRATION

The TAB field establishment was strengthened in 1960 by the addition of three new offices, bringing the total number of resident representatives to thirty-eight. Taking account of sub-offices, liaison offices, correspondents and the like, provision had been made in the 1960 budget for a total of forty-four field offices. The extension of the assistance rendered to Governments and the participating organizations through the TAB field establishment will expand in 1961 in accordance with Council resolution 795 (XXX), which specified that "with the consent of the Governments concerned, resident representatives should be made available to the newly independent countries as quickly as possible, as well as to other countries, where appropriate". The budget approved for 1961 includes provision for nine new offices of resident representatives in emerging or newly independent countries.

As contemplated by the General Assembly in its resolution 1240 (XIII), the Managing Director of the Special Fund and the Executive Chairman of TAB have agreed that the resident representatives would represent also the Special Fund in the countries to which they are accredited. With the rapid increase in the volume of Special Fund field operations in the course of the year, the resident representatives have been devoting a significant amount of their time and attention to Special Fund matters. This has been reflected on the financial side by an increase in the subvention paid by the Special Fund towards the cost of the field establishments from $150,000 for 1960 to $410,000 for 1961.

The field officers have continued to serve other United Nations programmes in a wide range of activities. The increasingly close co-operation between TAB offices and United Nations information centres and the active participation of TAB resident representatives in the inter-agency committees established in several cities for the consolidation of premises and services of the United Nations and related agencies are cases in point.

Moreover, at mid-year, a survey showed that, out of thirty-four resident representatives who served as "technical assistance mission chiefs" for the United Nations, fourteen acted as country representatives for FAO, twenty for UNESCO, eleven for ICAO and twelve for IAEA.

2. United Nations programmes of technical assistance

The United Nations technical assistance field programmes financed from all sources of funds amounted to $9,658,332 in 1960. Following the decision of the Pledging Conference in 1960 and the adoption of resolution 1527 (XV) by the General Assembly, the level of funds available both under the Expanded Programme and the regular budget was substantially increased to provide needed assistance to former Trust Territories and newly emerging countries.

The period under review marked a continuation of the established pattern generally in the provision of advisory and other services in the various fields for which the United Nations is responsible. It saw in some instances the strengthening of certain trends noticed in earlier years: intensification and expansion of regional activities, particularly training facilities in Africa; efforts to improve co-ordination between the planning and execution of economic and social policies by Governments and the provision of technical assistance in support thereof; improved arrangements for the transfer of responsibilities from international to national personnel, partly through the provision of fellowships to national officials directly associated with the projects being assisted; development of a closer relationship between Secretariat research and technical-assistance operational programmes, particularly with regard to training; the introduction of relatively large-scale undertakings made possible by the Special Fund in the fields of natural resources development and power and industrial development; and the initial stages of the planning and development of long-term projects under the technical assistance programme through the new mechanism of "project programming".

A number of programming missions were undertaken in 1960 and early 1961 to assist new countries in Africa to familiarize themselves with services available from the United Nations, and to develop concrete projects and the order of priorities for their implementation. A series of missions was organized in 1960 under the Executive Secretary of the Economic Commission for Africa and again in 1961 under the Commissioner for Technical Assistance. By the end of May 1961, technical assistance programmes had been established for Cameroun, Dahomey, Ivory Coast, Mali, Niger, Nigeria, Somalia, Togo and Upper Volta.

For the other countries of Africa with established programmes of technical assistance, the period under review largely reflected a continuation of activities, for example: assistance to the Imperial Institute of Public Administration in Ethiopia, aid for low-cost housing and community development projects in Liberia, public administration training and advice on economic matters in Libya, public finance and economic surveys in Togo and assistance to community development in Tunisia. An expert in Ghana was assisting the Government to draw up a request for the establishment of two institutes, one in public administration and one for the training of planning assistants to meet the needs of urban and rural development. In the Egyptian Region of the United Arab Republic, the assignment of a team of three experts to the Economic Development Organization marked the second phase of a programme aimed at the introduction of modern cost accounting and management techniques in the enterprises controlled by the organization. A second team was concerned with improvements in the railway system and one expert with river transport problems. Provision has also been made in the 1961-1962 programme for assistance to the port of Alexandria and other ports. In Somalia, following the preliminary survey undertaken in the spring of 1960, technical assistance services have been concentrated on the unification of the budget systems, constitutional arrangements inherited from pre-independence days, and the organization of a cartographic service.

By the end of May 1961, regional projects contemplated for countries of Africa for the period 1961-1962 totalled nearly one million dollars. With the impetus given by ECA, a significant beginning was made in 1960 in the organization of a programme for the development of statistical services in the countries of the region. Along with the provision of advisory services by regional statistical experts stationed at Addis Ababa, arrangements have since been made for three subregional training centres for middle-grade statisticians, for a centre on household surveys for senior statisticians in Libreville and study tours on field survey techniques and on household surveys. In addition, the in-service training programmes for economists and statisticians at the Commission's headquarters and in New York are being continued. Projects approved for implementation in 1961 include the first budget workshop for Africa, to be held in September 1961, training courses for community development personnel, a self-help housing survey and an inter-agency survey mission on urbanization.

Technical assistance to countries of Asia and the Far East was largely concentrated on continuing activities. Thus in Afghanistan, the economic planning advisers attached to the Ministry of Planning continued to assist the Government in the collection and analysis of economic data. In Burma, assistance was given on mineral resources, public administration and industrial accounting and management. In Nepal, a geological survey department was established with United Nations technical assistance in June 1960 and its director was appointed under the OPEX scheme. In India, the project for materials substitution in industry started in 1959 was considerably expanded through the provision of experts in cotton linters recovery, metal coatings, recovery of caustic soda in paper production, etc. In Indonesia, assistance in maritime transport was continued by experts advising the Ministry of Shipping on improvement of the operations of the government-owned shipping company, development of the inter-island shipping industry and various aspects of dockyard operations. In Iran, where many of the services rendered are under funds-in-trust arrangements made with the Government, assistance was continued in mining and geology, industries, transport, social welfare training, statistics and narcotics control with a number of the experts so provided being utilized by the Plan Organization in formulating the country's third five-year plan. In Pakistan, a team of experts continued to assist the Government in completing the construction of the Gudu Barrage on schedule. Advisory services on the establishment of industrial research facilities were made available to the Federation of Malaya and to Thailand.

Among new undertakings started in the period under review were: the provision of an economic adviser to the Government of Brunei for assistance in the preparation of the country's second five-year plan, and the organization of the UNTA/FAO fertilizer survey mission to advise the Government of India on all aspects of the development of the fertilizer industry to attain the target specified in the third five-year plan. In addition, an industrial survey team, comprising an industrial economist, a site planner and experts in metal and engineering, chemicals, shipbuilding and electrical industries, was made available to assist the Government in determining the type of light, medium and heavy industry which could be successfully developed in Singapore; also in Singapore, an iron and steel feasibility survey mission was organized to assist in evaluating plans for the possible establishment of a steel industry.

Among regional projects organized or continued during the period under review were: a Pulp and Paper Conference held in Tokyo under the joint auspices of UNTA/ECAFE and FAO which brought together industrialists, economists, foreign experts and European manufacturers of equipment to discuss ways to increase pulp and paper production in the region; a seminar on Aerial Survey Methods and Equipment for the ECAFE region which was attended by eighty-two participants from twenty-two countries and one territory and covered such aspects as aerial magnetic surveys and other airborne geophysical surveys; and an inter-regional training course in vital and health statistics for the Western Pacific region organized by the UNTA and WHO, and attended by forty-one participants. The United Nations technical assistance census advisory programme, started in 1958 with a financial contribution from the Ford Foundation, continued to meet requests from Governments with the regional statistical advisers stationed at Bangkok making thirty-five visits to fifteen countries in 1960. Two seminars, attended by fifty-four officials from eighteen countries, were held on the analysis, evaluation and use of population and agricultural census data. Assistance to the Regional Demographic Training Centre at Bombay was also continued in the form of expert services and fellowships for trainees from the region, with continuing financial support from the World Population Council, Inc. Finally, an important advance was made in the Mekong project with the signing of the plan of operation for a hydrographic survey by the four riparian countries (Cambodia, Laos, Thailand and Viet-Nam).

Shortly after Cyprus attained independence, a seven-member economic survey team was made available to the Government in co-operation with FAO. The mission covered the major sectors of the country's economy and recommended immediate development and conservation of water resources and the improvement of agricultural productivity. Recommendations were also made for the development of industries, harbours, tourism and electric power generating capacity. For the implementation of this wide-range programme, a central planning agency to analyse economic trends and formulate economic policies, and a development bank to provide long-term low-interest loans for industrial and other projects have been suggested.

In Europe, for countries with established programmes, such as Yugoslavia and Iceland, the previous year's pattern of assistance was continued. Yugoslavia utilized a large part of its programme for advanced training in highly technical fields. In Turkey, transport, public administration and social welfare training projects continued to receive assistance.

In countries of the Middle East, the programme in Iraq included the services of experts in small-scale industries, medical cotton and sugar. Expert assistance was continued to the Technological Board in Israel; to the development of the port of Aqaba in Jordan; and to textiles, public finance and trade and business techniques in Lebanon. A preliminary mission was organized to assist the Government of Saudi Arabia in formulating a training programme for civil service personnel.

In Latin America, a twofold programme of advisory services and training courses in economic planning continued to be a major activity. The ECLA/UNTA/FAO Advisory Groups were associated with the work in Bolivia, Colombia and Cuba and intensive training courses on economic development were held in Bolivia, Brazil, Colombia, Mexico and Uruguay. Other important projects assisted at the country level included: civil service training, and power and fuel utilization in Argentina; civil service reform and training in Colombia; development of a co-ordinated transport programme involving railways, port works and shipping, and plastic and chemical industries in Chile, and textile production and design in Guatemala. In Venezuela, the funds-in-trust arrangement concluded by the Government in 1959 with the Technical Assistance Board continued to account for a large part of United Nations technical assistance in public and financial administration, industry, resources development and economic planning.

At the regional level, the Advanced School of Public Administration for Central America completed its 1960 course with twenty-six middle-level administrators. It also organized a seminar for senior customs officials from the countries in the region, followed by a special course for junior officials. The programme of the Regional Demographic Training and Research Centre in Santiago was reviewed to provide for the increased demand for trained personnel needed in connexion with the evaluation and analysis of results of the 1960-1961 censuses; the regional UNTA/ECLA training programme for economists at Santiago, which serves as the mainspring for supplementary training activities in economic programming at the national level, was similarly reviewed and reorganized to include training in a number of specialized areas. A study of the pulp and paper industry in the region completed by the UNTA/ECLA/FAO Pulp and Paper Advisory Group covered the probable trend of consumption within the region for the period 1961-1975, investment and other requirements for increased production, and the possible establishment of a Latin American Pulp and Paper Council. Other regional projects organized or assisted during the period were: a group of experts on social aspects of economic development; the Central American Economic Integration programme; and the Inter-American Housing Centre at Bogotá.

3. Public administration

(*a*) ADVISORY SERVICES, TRAINING AND RESEARCH

As in previous years, work in the field of public administration has covered a variety of activities, including the provision of experts and consultative services, fellowships, regional seminars, training projects, research and documentation. The research is designed to meet the practical needs of developing countries by providing comparative information and analyses, so that each country may evolve institutions and procedures appropriate to its own particular context. Topics currently under study include local government, decentralization of governmental operations, and personnel administration and civil service reform. Increasing attention has been paid to the fact that public administration is concerned to a large extent with the provision of specific services in specialized fields such as agriculture and public health.

This has led to the organization, in collaboration with the appropriate specialized agencies, of regional seminars at which high-level operating officials from different countries are brought together to exchange ideas and experiences and, with the assistance of experts provided by the United Nations and the specialized agencies, to discuss and seek solutions for their administrative and technical problems. Typical examples are: the seminar on "Organization and Administration of Health Services in Central America", held in collaboration with the Panamerican Sanitary Bureau (WHO) in November 1960; two courses on "Administration and Financing of Urban Water Supplies", one held in Mexico in November-December 1960, and the other in Brazil in April 1961; and the conference on "Problems of Organization, Administration and Development of Agriculture Resources in South America", held at Buenos Aires in collaboration with FAO in June 1961.

(*b*) PROVISION OF OPERATIONAL AND EXECUTIVE PERSONNEL (OPEX)

The experimental programme for the provision of operational and executive personnel (OPEX) authorized by General Assembly resolution 1256 (XIII) of 14 November 1958 and continued for a further year by resolution 1385 (XIV) of 20 November 1959, was reviewed by the Economic and Social Council at its thirtieth session. The Council was satisfied that the experiment had proved itself; that there was a widespread demand for such assistance and no special difficulty in finding competent and acceptable experts to meet it. The Council accordingly recommended that the programme be placed on a continuing basis, with financial resources established at a level appropriate to the needs.

These recommendations were accepted by the General Assembly at its fifteenth session by resolution 1530 (XV) of 15 December 1960. At the same time, an allocation of $850,000 was appropriated for the OPEX programme for the year 1961.

By 15 June 1960, a total of 246 firm requests for OPEX assistance covering a variety of technical and administrative fields had been received from forty-six countries. Thirty-three officers were already working in the field or were expected to enter upon their duties very shortly, and recruitment for twenty-nine more posts was in progress. By the end of 1961, the total number of OPEX officers in the field is expected to reach ninety.

D. SPECIAL FUND ACTIVITIES

1. The Special Fund

During the period under review, the activities of the Special Fund grew considerably in scope. Contributions pledged by Governments for the financial year 1961 reached a total of $46.3 million as at 31 May 1961, an increase of $7.8 million over the total pledges for 1960. Eighty-three new projects were approved by the Governing Council, so that the Special Fund programme presently consists of 157 projects, at a total cost of $304.5 million. Of this total, $130.5 million was authorized to be paid by the Special Fund, while the remainder was covered by the counterpart contributions to be made to these projects by the recipient Governments themselves.

(*a*) THE DEVELOPMENT OF THE PROGRAMME

In continuance of the policy decisions taken by the Governing Council at its first four sessions, emphasis in the newly approved projects was again placed on three broad fields of Special Fund assistance, namely education and training, resource surveys, and applied research. At its fifth session (December 1960) the

Governing Council generally agreed with the suggestion of the Managing Director for the provision of advisory services in economic planning and programming to less developed countries in collaboration with regional economic commissions and other appropriate United Nations bodies. The Governing Council, at that same session, also noted with interest the Managing Director's proposal that the Special Fund help carry out detailed manpower surveys in those countries where the absence of basic data on manpower availabilities and requirements presented serious difficulties in the proper formulation of national educational and training programmes.

At the recommendation of the Managing Director, the Governing Council at its fifth session approved forty-one new projects with a total cost of $85.9 million, requiring a Special Fund allocation of $36.2 million, and $49.7 million in counterpart contributions by recipient Governments. At its sixth session (May 1961) the Council approved a further forty-two projects, with a total cost of $77.4 million. For these latter projects a Special Fund allocation of $34.6 million was authorized, the remaining $42.8 million being the counterpart contribution by recipient Governments. Together with the programmes approved at the Council's first four sessions, the total Special Fund allocation for the 157 projects approved so far amounts to $130.5 million. Taking into account Governments' counterpart contributions to these 157 projects, the total project cost, as stated earlier, amounts to $304.5 million.

The 157 projects approved to date included fifty-nine for education and training, accounting for 39.5 per cent of the total allocations made; sixty-seven for resources surveys, accounting for 35.8 per cent; and thirty-one for applied research, accounting for 24.7 per cent.

Of the total Special Fund allocation of $130.5 million, $22.9 million was for assistance to countries in Africa (30 projects), $38.6 million for the Americas (46 projects), $4.3 million for Europe (6 projects), $22.4 million for the Middle East (31 projects), and $3.8 million for an inter-regional project (Desert Locust Survey).

In preparing his programme recommendations, the Managing Director sought the advice of the Consultative Board in accordance with General Assembly resolution 1240 (XIII) of 14 October 1958, and obtained the co-operation of the United Nations and the specialized agencies, which also carry a major responsibility for the implementation of approved projects, by acting as executing agencies (see below). Thus, the United Nations has been designated as executing agency for twenty-three projects, for which $19.6 million was allocated; the ILO for twenty projects ($15.7 million), FAO for sixty-five projects ($50.4 million), UNESCO for twenty-five projects ($27.6 million), WHO for two projects ($849,000), IBRD for eight projects ($5.5 million), ICAO for six projects ($5.9 million), ITU for four projects ($2.7 million) and WMO for four projects ($2.1 million).

The Governing Council at its sixth session considered a report by the Managing Director on procurement practices of the executing agencies, and requested him to keep this subject under review and to inform the Council on it, as appropriate. The Council also took formal note of a report on questions relating to the Special Fund and the Expanded Programme of Technical Assistance, prepared by the Managing Director and the Executive Chairman of TAB at the request of the Economic and Social Council.

(*b*) FINANCES

Contributions pledged to the Special Fund for 1960 by eighty Governments totalled $38.5 million; as at 31 May 1961, payments amounting to $36.2 million had been received. For the year 1961, contributions pledged by eighty Governments amounted to the equivalent of $46.3 million as at 31 May 1961. Having in mind the increasing and urgent needs of the less developed countries, and the increase in the number of Members of the United Nations, the General Assembly in its resolution 1529 (XV) of 15 December 1960 urged States Members of the United Nations or members of any of the specialized agencies or of IAEA so to increase their contributions to the Special Fund and to the Expanded Programme of Technical Assistance that the funds available to these two programmes attain, in the immediate future, the sum of $150 million.

Having considered a report on earmarkings and the question of establishing a reserve fund, the Governing Council, at its sixth session, requested the Managing Director to continue his study of the questions involved, and to submit the result of that study to the Council at its eighth session. It also agreed that new commitments to be recommended for approval at the seventh and eighth sessions, taken together, should not exceed 133 per cent of the uncommitted resources as at 1 January 1962.

At its fifth session, the Governing Council approved the administrative budget estimates for 1961, totalling $1,087,200, and at its sixth session approved the restoration of funds available under the preparatory allocation to the level of $250,000 for 1961, to assist Governments in revising and reformulating requests submitted to the Special Fund requiring further preparation.

(*c*) IMPLEMENTATION OF APPROVED PROJECTS

Since its establishment on 1 January 1959, the Special Fund has entered into agreements with Governments requesting its assistance, as a prerequisite to the implementation of approved projects. As at 1 June 1961, fifty-eight such basic agreements had been signed.

Standard agreements establishing the framework for the collaboration of the executing agencies with the Special Fund and with Governments in the implementation of approved projects were concluded with the United Nations, ILO, UNESCO, FAO, WMO, WHO, ICAO and ITU. Individual project agreements have been signed with the International Bank for Reconstruction and Development.

In addition to these general agreements, detailed arrangements governing the implementation of each approved project are laid down in a Plan of Operation, a tripartite agreement between the Government or Governments concerned, the Special Fund and the executing agency. By 31 May 1961 seventy-four Plans of Operation had been completed and signed, and commencement of operations had been authorized for sixty-nine national and regional projects in over forty countries and territories.

During the period under review, the first Special Fund project was completed, namely an electric power study in Argentina; another project, a general development survey for Guinea, was declared concluded following action taken by the Government of Guinea concerning personnel engaged on the project.

2. United Nations execution of Special Fund projects

At the Governing Council sessions held in December 1960 and May 1961, thirteen additional projects were approved for execution by the United Nations, thus bringing the total of approved projects to twenty-three, at a total cost of $35 million, approximately half of which is to be contributed by the Special Fund and the remainder by the Governments concerned. Most of the projects are in the field of natural resources development. Nine relate to geological and mineral investigations designed to provide information on the potentialities of such resources to enable their development by attracting investment capital. They have been approved for: Bolivia, Burma, Chile, India, Iran, Pakistan, United Kingdom (Colony of North Borneo), United Kingdom (Uganda) and Viet-Nam. Eight other projects are concerned with the development of water resources in: China (Taiwan), India, Jordan, Nepal and the Lower Mekong River Basin. Four industrial development projects include the Central American Research Institute for Industry (ICAITI), the Israel Ceramics and Silicates Industries Laboratories, the Indonesia Building Materials Development Laboratory and the Colombia Institute for Technological Research. One project is for establishing an Institute of Public Administration in Accra to provide civil service training in Ghana.

Four of the projects being executed by the United Nations are regional: one project provides assistance to the Central American Research Institute for Industry, a regional agency of the Governments of El Salvador, Nicaragua, Costa Rica, Honduras and Guatemala, in order to permit that organization to expand its research services to industry and Governments in Central America for industrial and resource development. The Government of Panama has also expressed interest in participating in the activities of the Institute and arrangements are being made in this connexion. The other three regional projects provide assistance to the Committee for Co-ordination of Investigations of the Lower Mekong Basin, on which Cambodia, Laos, Thailand and Viet-Nam are represented. They cover a survey of hydro-sites on four tributaries, a hydrographic survey of the main river and mineral surveys in Laos and Thailand.

E. QUESTIONS OF CO-ORDINATION AND RELATIONS WITH SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

Numerous inter-agency consultations held throughout the year under the aegis of the Administrative Committee on Co-ordination and undertaken by means of correspondence and occasional meetings culminated in two sessions of the Committee itself in October 1960 and May 1961. Among the more important questions which it considered and finally reported on to the Economic and Social Council was that of the possible effects of a substantial increase in the operations of the Expanded Programme of Technical Assistance and the Special Fund on the activities of the United Nations organizations concerned, with special reference to co-ordination among those activities. The effects would differ greatly from one organization to another but one serious problem would be faced by many of them, namely the difficulty in recruiting the experts needed for field operations. That difficulty was indeed already serious and a thorough study of it was arranged by the ACC as a matter of urgency. A warning was moreover sounded against undue concentration of staff and funds on "operations", to the detriment of the research, studies and standard-setting which provide the necessary support to international operations. For purposes of co-ordination, a strengthening rather than a fundamental change of existing arrangements seemed necessary. This strengthening of co-operation would be particularly important at the regional and country levels. The growing role of the regional economic commissions led the Committee to stress the importance of closer liaison and collaboration between them and the agencies. At the country level, it stated, "the central role will have to be played, on behalf of the agencies participating in EPTA and acting on behalf of the Special Fund, by the resident representatives of the TAB who also represent the Special Fund".

Another group of questions to which much attention was given related to education and training, with special reference to Africa. The basis was laid for an integrated programme of the various United Nations agencies concerned in this field, which is of such cardinal importance for economic development. Since an integrated programme would necessitate continuous co-ordination, embracing conception as well as action, and resources as well as machinery, the organizations concerned agreed to strengthen further their existing co-ordination arrangements at all levels, while the ACC established a subcommittee to assist it in keeping questions of education and training under regular review and to consider the extension of the arrangements adopted for Africa to other parts of the world.

In accordance with the Council's request (resolution 799 B (XXX) of 3 August 1960), the Committee undertook its first annual review of the activities of the various United Nations organizations in the field of the peaceful uses of atomic energy. The topics reviewed included scientific meetings, training courses, research, health and safety standards, publications and technical assistance, and the conclusion was reached that the arrangements for co-ordination in those fields were working satisfactorily.

Other matters considered by the Committee were the proposed scheme, launched by the Economic and Social Council at its thirty-first session, for providing food surpluses to food-deficient peoples through the United Nations system; the proposed United Nations conference on the application of science and technology for the benefit of the less developed areas—the members expressing their warm support of the proposal and their readiness to assist in the planning and preparation of the conference should the proposal be adopted; the possibilities of concerted action in the field of oceanography, and the development of concerted or co-ordinated action in a number of other programme areas, including water resource utilization, commodity arrangements, industrialization, urbanization, public administration (including the

OPEX scheme) and agrarian reform. The ACC decided to set up a sub-committee to cover the need for inter-agency consultations on oceanography and arranged for regular inter-agency consultations on programmes for industrial development.

The May 1961 meeting of the ACC provided an opportunity for an exchange of information and views on action taken by the Secretary-General in implementation of the Council's resolution 793 (XXX) of 3 August 1960 on decentralization. The executive heads of the specialized agencies and IAEA made it clear that any considerable decentralization of the United Nations economic and social work to the regional economic commissions would inevitably have important repercussions on the work of their agencies. They reaffirmed the principle that the agreements between their organizations and the United Nations apply to relationships at the regional no less than at the headquarters level; and they emphasized that these agreements, the network of understandings based upon them, and the resulting distribution of responsibilities among members of the United Nations family should in no way be affected by measures in the direction of decentralization that might be taken by the United Nations itself.

During the period under review, a formal agreement was made between the United Nations and the International Development Association. The agreement, which provided that the United Nations and the Association shall have the same rights and obligations toward each other as the United Nations and the International Bank for Reconstruction and Development, was recommended by the Economic and Social Council and adopted by the General Assembly at the resumed fifteenth session (resolution 1594 (XV)).

A novel and important feature of the agreement is the provision for a liaison committee consisting of the Secretary-General of the United Nations and the President of the Bank and the Association, or their representatives, together with the Executive Chairman of TAB and the Managing Director of the Special Fund, or their representatives, which is to meet no less than four times a year in order to ensure co-ordination of the technical assistance and other development activities of these organizations through exchange of information, and as necessary through consultations, on their current and future programmes and plans of common interest and concern.

F. UNITED NATIONS CHILDREN'S FUND

A preliminary study of the needs of children considered by the UNICEF Executive Board at its June 1961 session revealed a "vast and terrible picture" of privation and waste of human resources in the economically underdeveloped world. During birth and the first six to twelve months, it was generally found that the greatest need is for the protection of health and the reduction of infantile mortality. During weaning and early childhood, the nutrition problem is often primary. The pre-school child is subject to the communicable diseases of childhood and to the endemic diseases of the tropics. At school age, the lack of proper education is very often the most important problem and a serious threat to the child's future development. As the older child begins to live more and more outside his family circle, social protection, vocational training and preparation for adult life become matters of major importance.

At the June session of the Board, the Executive Director, calling attention to the increasing flow of public capital to developing countries through bilateral and multilateral channels, pointed out that investment in children, while recognized in the abstract as requiring as much consideration as investment in natural resources, tended in practice to be neglected because of the more immediate pressure for development in industrial or other economic fields. He believed that many of the problems of children could be tackled by making use of existing organizational machinery, and with relatively modest amounts of additional resources, provided that countries' development plans took adequate account of child needs and possibilities for action.

The Board believed that each Government must devise its own strategy for meeting the needs of its children and youth. It decided on a new field of UNICEF assistance, namely, aid to Governments to survey the needs for their own children and to plan programmes designed to meet those needs which the Government considered to be of high priority and for which effective action was possible. UNICEF would collaborate with the relevant technical agencies in order that the aid provided by each agency would be of maximum value to the countries concerned. It was hoped that this would create a focal point in Governments for initiative and leadership in the planning and development of services to meet the special and interrelated needs of children, wherever possible as an integral part of broader economic and social development programmes.

The survey of the needs of children revealed that many developing countries placed a high priority on some needs not covered by current fields of UNICEF aid. The Board therefore decided that the range of aid offered by UNICEF should be broadened so that the Fund could consider requests based upon priorities established by the Governments, bringing within the scope of aid not only the physical needs of children and youth, but their intellectual, vocational and emotional needs as well. In order not to neglect present successful programmes, the Board agreed that new activities should be undertaken progressively, as available and foreseeable resources permitted. The possibility of UNICEF aid for education and the preparation of children and young people for the responsibilities of adult life would bring UNICEF into closer relations with the ILO and UNESCO along the lines already developed between UNICEF and WHO, FAO and the United Nations Bureau of Social Affairs.

In order to provide resources both for the continuation of present programmes and for expansion into new fields of aid, the Board revised its financial procedures. The new procedures envisaged substantial increases in UNICEF allocations during the years 1961-1965, based not only upon income of the current year but also upon a portion of contributions pledged for the following year (allocations made at December sessions of the Board on the basis of such pledged contributions would take effect on 1 January of the following year). In addition, the Board decided that allocations for larger projects would be limited to expenditure requirements for a twelve-month period. These practices would bring about an increase in annual expenditures which in recent years have lagged considerably behind annual allocations. Earmarked funds, which at the end of 1960 were equivalent to over one and one-half times the expenditures that year, would be reduced by 1965 to approximately two-thirds of the annual rate of expenditures, a level which would provide sufficient working capital for current operations.

The Board also adopted a more flexible approach in determining the forms which UNICEF aid could take. While retaining the basic principle that receiving Governments should generally assume responsibility for local costs of projects, it approved greater flexibility in the provision of UNICEF funds to meet local project costs where this was the most effective way of aiding a project and funds were not available from other sources. The Board also decided that the attention of Governments should be drawn to the possibility of establishing OPEX posts, under the United Nations scheme, for UNICEF-assisted projects. Should OPEX funds prove insufficient to meet requests, the Executive Director would be free to include the necessary amounts in recommendations for project aid submitted to the Board.

It was clear to the Board that the shortage of trained staff to plan and administer projects was a major obstacle to the extension and improvement of the quality of services for children. The Board undertook a review of UNICEF aid for training and adopted a policy which would broaden the scope of UNICEF aid for training and allow it to be used more extensively for staff in all the various fields of services for children, and for all levels of work—planning, directing, teaching, professional and auxiliary. The chief emphasis in UNICEF aid would continue to be for within-country training schemes.

The Board also reviewed its policy on aid for malaria eradication and reaffirmed a previously established allocation ceiling of $10 million a year. It agreed that UNICEF aid should be continued in countries where the prospects for eradication were good and the Governments were providing the necessary local support, even though aid would be required for a longer period than originally foreseen. Where prospects of eradication appeared remote, UNICEF, in liaison with WHO, would negotiate with the Government to obtain agreement either to suspend the campaign or to convert it into a pre-eradication operation, to which UNICEF aid might be given for a limited period.

Although UNICEF had long given high priority for comprehensive maternal and child services as part of a general health organization, the Board expressed concern that progress in this field had been relatively slow. The Board also laid considerable emphasis on providing more UNICEF aid in the nutrition field, particularly to develop increased production and distribution of high protein and other local protective foods and to help national training schemes.

The Board was aware that rapid social and economic changes associated with industrialization, urbanization and the growth and movement of population were leading to a disruption of traditional patterns of family life, and children were the chief sufferers. It believed that greater UNICEF aid was required for comprehensive social services which would help preserve and strengthen family life and would make adequate provision for children needing full or part-time care outside their own homes. However, more technical services were needed to prepare projects for UNICEF aid in this field and the Board decided to bring to the attention of the Economic and Social Council at its thirty-second session its strong support for an increase in the staff of the United Nations Bureau of Social Affairs for this purpose.

Because of the interdependence of children's problems, considerable stress was placed in the Board on the value of the multi-purpose projects which combined several related elements, such as health, nutrition, agriculture, and home economics extension, social services and education. In some countries such projects were developed within community development programmes. While such projects usually required co-ordination of the work of several governmental ministries, they also required simplified procedures among international agencies to co-ordinate all the necessary elements of international advice and aid.

The Board emphasized the desirability of strengthening present ties with non-governmental organizations. It was clear that non-governmental organizations, whether they operate on the international, national or local level, had an essential role to play in generating public interest in the needs of children, and in efforts, including those of UNICEF, to meet these needs. In this connexion the Board recognized the increasing importance of UNICEF National Committees. In many countries, moreover, voluntary agencies played a valuable role in the development of strong national programmes for children.

In 1960, UNICEF income from all sources amounted to the equivalent of $25.8 million. This constituted an increase of about $1.9 million over 1959 income and was in accord with the moderate upward trend in UNICEF income which in recent years has generally been about $2 million a year. A total of ninety-eight Governments contributed to UNICEF in 1960. In mid-1961, UNICEF was aiding 425 projects in 105 countries and territories and three inter-regional projects. It was estimated that in 1961 some 57 million children and mothers would benefit from the principal large-scale disease control campaigns and supplementary feeding programmes assisted by UNICEF; no estimate is possible for the other fields of assistance.

G. WORLD REFUGEE YEAR

On 5 December 1960, the General Assembly adopted resolution 1502 (XV) in which, "noting with gratification the remarkable success of the World Refugee Year in many parts of the world, not only financially but also in promoting solutions of problems relating to large numbers of refugees, particularly those who are handicapped", the General Assembly expressed its thanks to all Governments, national committees, non-governmental organizations and private individuals who had contributed to the success of the Year. It requested States Members of the United Nations and of the specialized agencies, as well as international non-governmental organizations, to continue their efforts to assist refugees on a purely humanitarian basis, especially by: (*a*) increased co-operation with the programmes of the United Nations High Commissioner for Refugees and the United Nations Relief and Works Agency for Palestine Refugees in the Near East; (*b*) efforts to maintain the public interest aroused by the World Refugee Year in the solution of refugee problems; (*c*) the encouragement of additional opportunities for permanent refugee solutions through voluntary repatriation, resettlement or integration in accordance with the freely expressed wishes of the refugees themselves; and (*d*) the further encouragement of financial contributions for international assistance to refugees, including contributions from non-governmental organizations and the general public.

The Assembly had before it a report by the Secretary-General on the World Refugee Year which was based on information available as at 30 September 1960. This was in effect a preliminary report, as special activities in support of the year were still going on in many countries. Since the Year was initially expected to end in June 1960, this continued activity was in itself a measure of the success of the Year and represented at least a partial achievement of its fundamental purpose —to bring interest in refugee problems to a sustained, higher level. In March 1961, the Special Representative of the Secretary-General made a supplementary report based on information as at 28 February 1961 and noting that special activities in support of refugees growing out of the impetus of WRY were still going on in several countries.

In all, ninety-seven countries and territories participate in World Refugee Year, and, in thirty-nine of these, national committees were established to promote the Year, often under the patronage of the Head of State. In Geneva, an International Committee for World Refugee Year was set up which came to represent eighty international non-governmental organizations and a wide variety of interests. "Participation" in WRY has meant that countries undertook to do something additional to assist refugees and in accord with the aims of WRY. These, as set out in the original resolution launching the Year (resolution 1285 (XIII) of 5 December 1958) were: (1) to focus interest on the refugee problems; (2) to encourage additional financial contributions for international assistance to refugees; and (3) to encourage additional opportunities for permanent refugee solutions. The forms of participation varied greatly from country to country but generally included campaigns of public information, the ratification of the 1951 Convention on the Status of Refugees, the liberalization of immigration legislation (including, especially, admission of the handicapped), and the raising of additional funds from both the private and public sectors. Perhaps the most dramatic single result of the Year was that at last count over $92 million were raised in addition to regular contributions. Of this sum, approximately $23 million represented additional contributions directly to the two organizations of the United Nations concerned with refugees—UNHCR and UNRWA.

The beneficial effects of the Year on the programmes of these two agencies are described in the relevant sections of the present report, but it can be briefly noted here that, *inter alia*, UNHCR received sufficient funds and assurances of immigration opportunities so that it will be able to carry out its Camp Clearance Programme, while UNRWA received funds which were an invaluable stimulus to its programmes for the expansion of vocational training. In addition, some of the funds not made available direct to the two United Nations organizations will, none the less, be used by non-governmental organizations to assist refugees within the mandate of the United Nations agencies and in co-ordination with their respective programmes.

A striking example of results achieved through WRY is that Austria is to close all refugee camps on her territory, including those inhabited by refugees not within the mandate of the High Commissioner. Also worth reporting is the fact that for the first time an impressive international effort has been made on behalf of the Chinese refugees in Hong Kong, while growing financial assistance has been given to the refugees from Algeria. In general, the beneficial results of the Year on all refugees, whether within or outside the mandates of the United Nations organizations, will, of course, be felt gradually as the various measures take effect and programmes financed by the additional contributions are implemented.

Not the least important effect of WRY is that it became possible as never before to view refugee problems in world-wide terms and to include in a broader understanding the suffering and needs of refugees in Asia and Africa as well as those on the continent of Europe. Related to this is that even the economically less privileged countries of Asia and Africa, sometimes burdened with refugee problems of their own, made their contribution to reduce the burdens of others. For example, the Republic of Viet-Nam decided to give a major portion of the funds raised there to UNHCR for the refugees in Europe, and the Pakistan Government, despite its immense effort for refugees on its own territory, made funds available to help Europe, while the National Committee of China made a gift to UNHCR.

The direct participation of the United Nations in WRY consisted primarily in a WRY secretariat, composed mainly of staff from within the United Nations organizations assembled for the purpose and whose principal duties were to supply information on refugee problems and to serve as a point of co-ordination. This secretariat came to an end at the close of 1960. The Organization was, however, involved in a wider sense. While the success achieved by World Refugee Year was obviously due to the participating countries, its appeal was strengthened by the sense of international solidarity which United Nations sponsorship, stemming from the resolutions of the General Assembly, provided. Moreover, the Year provided a unique opportunity for people in all countries to act individually in support of the constructive humanitarian activities of the United Nations, with which many of them had hitherto been unfamiliar.

H. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

During the period under review, the Office of the United Nations High Commissioner for Refugees continued to carry out its humanitarian task in accordance with the provisons of the Statute. The two most significant features of the work accomplished during that period are the real impact which was made by World Refugee Year and the growing interest shown in the problems of refugees who are not within the immediate competence of the United Nations.

A total amount of nearly $16 million was contributed to UNHCR in the course of 1960, mostly within the framework of WRY; approximately two-thirds of that amount came from non-governmental sources. The financing of camp clearance has been assured, other important programmes could be carried on and funds were also made available for assistance under the good offices resolutions (General Assembly resolutions 1167 (XII), 1388 (XIV) and 1499 (XV)) to refugees not coming within the direct competence of the United Nations.

World Refugee Year has also had a favourable effect on resettlement as a solution to refugee problems. Governments have further liberalized their admission criteria and made it possible for considerable numbers of physically handicapped refugees to gain admission to immigration countries.

The period under review also saw an intensification of activities in the field of international protection, which has been facilitated through the increasing awareness of many countries of the difficult situation of refugees and of the need to improve their status.

The Office of the High Commissioner is still concerned with providing the essentials of life to refugees from Algeria in Morocco and Tunisia in conjunction with the League of Red Cross and Red Crescent Societies. World Refugee Year contributions made it possible to obtain the necessary funds for 1960. This year, however, there was at the beginning of June 1961 a shortage of $1.2 million needed to carry on the relief operation until the end of the year. Appeals for funds have accordingly been launched by the High Commissioner.

World Refugee Year has also made it possible to make an impact on the problems of large groups of refugees for whose assistance the High Commissioner is receiving funds under the terms of the good offices resolutions.

(*a*) INTERNATIONAL PROTECTION

The effects of World Refugee Year in the field of international protection are reflected in the new accessions to, or ratifications of, inter-governmental instruments affecting the status of refugees, and in the legal and administrative measures taken for the improvement of the status of refugees in various countries.

During the period under review, the protection of some 1,350,000 refugees, spread over more than forty countries, has been further developed in consultation with the Governments of those countries.

Some 16,000 persons were recognized as refugees during 1960 in those countries where the Office of the High Commissioner participates in the procedures established for determining whether refugees come within the scope of the 1951 Convention or within the mandate of UNHCR.

The 1951 Convention relating to the status of refugees has been ratified by two further Governments—Brazil and Portugal—bringing the total number of contracting parties to twenty-seven.

Further progress has also been made in extending the existing network of other legal instruments relating to the status of refugees. The draft Declaration on the Right of Asylum is to be considered by the General Assembly at its sixteenth session. The 1957 Agreement relating to Refugee Seamen needs only one further ratification in order to come into force. Those countries which have signed the Agreement are, for the most part, already applying its principles in advance of its entry into force.

Further progress was also made in securing for refugees certain rights and benefits granted on the basis of regional legal instruments to the nationals of parties to these instruments in the territories in which they reside. Thus, the Council of Europe Agreement on the Abolition of Visas for Refugees entered into force in September 1960. Consultations are taking place between UNHCR and various European regional organizations on the possibility of extending to refugees benefits granted to nationals of member States of these organizations. With regard to travel, special facilities are being given by Denmark, Finland, Norway and Sweden to refugees and stateless persons who have been resident in these countries for at least one year.

Measures were taken in several countries for the improvement of the status of refugees, particularly with regard to the right of employment, to social security and to travel of refugees. As regards employment, special mention should be made of the facilities granted by several countries to enable refugee doctors and dentists to exercise their profession and of the initiative taken by the Council of Europe to promote such facilities among its member countries. Facilities for the exercise of other professions are also under consideration in certain countries.

On 5 October, an agreement was concluded between the Federal Government of Germany and the Office of the High Commissioner providing that refugees who have suffered permanent injury to body or health under the national socialist régime by reason of their nationality will receive compensation on the same basis as other victims of national socialist persecution, which should result in much higher payments. This part of the agreement will be implemented by the German authorities.

Under the agreement, UNHCR has further received DM 45 million for measures of assistance to refugees persecuted under the national socialist régime by reason of nationality who are not entitled to indemnification under the German Federal Indemnification Law. As decided by the General Assembly at its fifteenth session, provision for the administration of this fund by UNHCR in 1961 was made in the United Nations budget, and an indemnification section has been set up within the Geneva Office of UNHCR for this purpose.

(*b*) VOLUNTARY REPATRIATION AND RESETTLEMENT

Voluntary repatriation

In accordance with the provisions of its Statute and of resolution 925 (X) of the General Assembly, the Office of the High Commissioner has continued to facilitate the repatriation of refugees who wish to return to their country of origin.

Information received from countries where UNHCR is represented shows that at least 2,500 refugees returned to their country of origin during 1960.

UNHCR continues to make financial arrangements for the travel of refugees returning to their country of origin in cases where these costs cannot be met from any other source.

Resettlement

The Office of the High Commissioner has continued to promote and negotiate resettlement schemes for refugees with Governments of immigration countries in consultation with the Intergovernmental Committee for European Migration and with the non-governmental organizations concerned.

Within the framework of World Refugee Year, considerable efforts were made by the Governments of these countries to facilitate the admission of refugees, and particularly of the handicapped among them. In several of these countries, selection criteria were liberalized; in the United States, a special law was passed for the admission of refugees.

During 1960, some 30,000 refugees within the mandate of UNHCR were resettled and in the course of World Refugee Year and of the following six months (1 June 1959 to 31 December 1960), resettlement offers had been received for 3,000 handicapped refugees and 4,000 of their dependants.

In facilitating the immigration of refugees, special attention has been paid to the principle of maintaining family unity. Thanks to modern methods of rehabilitation, it has proved possible for many of the handicapped refugees to resume normal existence and to make a contribution to their new community. Consequently, the Governments of several immigration countries are considering the possibility of maintaining the liberalized criteria which had been set on the occasion of World Refugee Year, so that resettlement is becoming more and more an appropriate solution for a cross-section of the refugee population.

(*c*) UNHCR REGULAR PROGRAMMES

The special financial target of $12 million which had been set for the UNHCR regular programme for 1960 on the occasion of World Refugee Year was nearly reached. Consequently, the financing of the Camp Clearance Scheme could be assured. By the end of 1960, 81,500 refugees had been assisted under the former UNREF Programme and the UNHCR current annual programmes, of whom 46,150 refugees were firmly settled. At the same time, there remained some 15,000 refugees in camps, 10,700 of whom qualified for assistance under the UNHCR Camp Clearance Scheme, while the remainder will benefit from other programmes. Although the funds are available for the completion of the Camp Clearance Scheme, some time will still elapse before the necessary dwellings are constructed so that all the refugees can leave the camps.

Further progress has been made in the implementation of the Far Eastern Programme, which is the second priority programme of UNHCR. In the course of 1960 and of the first four months of 1961, 2,140 refugees had been transported to countries of resettlement, leaving 5,700 refugees, of whom 4,700 have visa assurances for immigration countries.

The Office has also been able to make an impact on the problem of non-settled refugees living outside camps, whose number was estimated at approximately 94,000 on 1 January 1960. In accordance with the priorities laid down by the Executive Committee of the High Commissioner's Programme, efforts are being concentrated on the physically and socially handicapped among them. In the course of 1960, some 7,540 of these refugees received assistance under UNHCR current programmes. Some of them also benefited from the favourable economic conditions in their countries of residence. The number of non-settled refugees outside camps who were not covered by existing projects was estimated at approximately 65,000 at the beginning of 1961. Further assistance will be given to these refugees, many of whom live in precarious conditions.

During the period under review, the Office has also begun to implement the UNHCR current programme for 1961, for which the Executive Committee has set a financial target of $6 million. At its fifth session, held in May 1961, the Executive Committee of the High Commissioner's Programme approved a target of $5 million from all sources for the UNHCR regular programme for 1962, $4.3 million of which would be devoted to the Far Eastern Programme and to assistance to non-settled refugees outside camps.

(*d*) REFUGEES FROM ALGERIA IN MOROCCO AND TUNISIA

In accordance with General Assembly resolution 1500 (XV) of 5 December 1960, the High Commissioner has continued his joint relief programme in conjunction with the League of Red Cross Societies for assistance to refugees from Algeria in Morocco and Tunisia. The resolution also recommended that the High Commissioner "use his influence" to ensure the continuation of the joint programme and, if that proved impossible, then to proceed with plans for the assumption by the Office of the High Commissioner of responsibility for those refugees after 1 July 1961. The High Commissioner has accordingly consulted the Chairman of the Board of Governors of the League of Red Cross Societies on the possibility of continuing the joint action and an understanding has been reached to avoid any risk of the arrangements for the operation being jeopardized.

Under the basic programme, which is to provide refugees with the essentials of life, food rations providing 1,540 calories a day are being distributed as well as clothing, blankets and tents.

Under the supplementary programme, 160 milk stations have been set up, 100 in Tunisia and 60 in Morocco, which are attended by some 90,000 children each day. Additional food is further distributed from multi-purpose centres and from mobile soup stations. Medical care is provided through dispensaries and mobile and static clinics which have been set up to supplement the medical facilities made available by the Governments of Morocco and Tunisia. The state of health of the refugees has in general improved during the period under review. However, careful attention will be necessary to prevent the outbreak of disease and especially to preserve the health of the children. The supplementary programme also includes pilot projects for group work and education.

An operational budget for the joint operation for 1961 was approved by the Executive Committee of the High Commissioner's Programme in an amount of $6,963,600, of which $4,111,700 was estimated to be required in kind and $2,851,900 in cash. As at 1 June 1961, an amount of $1.2 million was still required in cash in order to continue the programme until the end of 1961. The High Commissioner therefore renewed his appeal of February 1961 to Governments of States members of the Executive Committee and will extend his appeal to Governments of all States Members of the United Nations and members of the specialized agencies.

(*e*) Assistance to refugees under resolutions 1167 (XII), 1388 (XIV) and 1499 (XV) of the General Assembly

World Refugee Year has helped to bring to the fore the problems of large groups of refugees who did not come within the direct competence of the United Nations.

In recognition of the needs of these groups of refugees, the General Assembly had already adopted resolution 1167 (XII) of 26 November 1957 authorizing the High Commissioner to use his good offices to encourage arrangements for contributions to Chinese refugees in Hong Kong. During 1960 and up to 1 June 1961, a total of $924,394 was transmitted through UNHCR for assistance to Chinese refugees in Hong Kong under the terms of that resolution.

In its resolution 1388 (XIV) of 20 November 1959, the Assembly authorized the High Commissioner to transfer contributions designed to provide assistance to other groups of refugees not coming within the competence of UNHCR. Under this resolution, an amount of $598,350 was contributed in 1960 for assistance to other groups of refugees in Asia, and former—now naturalized—refugees and other inhabitants of camps in Austria, as well as ethnic Greek refugees from the Far East.

At its fifteenth session, the General Assembly gave further expression to the interest of the international community in the problems of groups of refugees not coming within the competence of the United Nations by adopting resolution 1499 (XV) of 5 December 1960 in which, *inter alia*, it invited States Members of the United Nations and members of the specialized agencies "to continue to devote attention to refugee problems still awaiting solution . . . by continuing to consult with the High Commissioner in respect of measures of assistance to groups of refugees who do not come within the competence of the United Nations".

Under the terms of this resolution, the High Commissioner for Refugees is ready to serve as an intermediary, lending his good offices for the benefit of those refugees who do not come within the competence of the United Nations. His activity in this field will depend primarily upon the needs and views of the Governments directly concerned, particularly of the Governments of the countries in which the refugees find themselves, and secondly upon the practical means of action at his disposal, i.e. on the support he might be able to find within the international community in a given situation.

At the suggestion of the Cambodian Government, the High Commissioner investigated at the beginning of 1961 the problems created by the arrival in Cambodia of refugees from neighbouring countries. In view of the emergency nature of the situation, the High Commissioner made available to the Cambodian Government for assistance to these refugees an amount of $10,000 from the Emergency Fund established under General Assembly resolution 1166 (XII). Further consultations are taking place between the Cambodian Government and the Office of the High Commissioner on the problem.

I. CONSULTATIVE ARRANGEMENTS WITH NON-GOVERNMENTAL ORGANIZATIONS

The non-governmental organizations in consultative relationship with the Economic and Social Council now number 335. Of these, ten are in category A, 122 in category B and 203 are on the register of the Secretary-General.

During the period under review, non-governmental organizations have submitted sixty-one written statements which have been circulated as documents of the Council or its commissions and other subsidiary bodies. In addition, organizations have been heard on various occasions by the Council Committee on Non-Governmental Organizations and by the Council, its commissions and other subsidiary bodies.

The Secretary-General has administered the consultative arrangements established by the Council under resolution 288 B (X) of 27 February 1950 by means of consultations, correspondence, assistance to organizations in connexion with hearings before the Council and its subsidiary bodies and the submission of documents, and by sending representatives to a number of the principal conferences of the organizations. Material has been prepared on the various organizations applying for consultative status and has assisted in the preparation of the 1960-1961 edition of the *Yearbook of International Organizations*.

Chapter IV

QUESTIONS CONCERNING TRUSTEESHIP AND NON-SELF-GOVERNING TERRITORIES

A. TRUST TERRITORIES

1. Operation of the International Trusteeship System

(a) General considerations

Further important progress toward the attainment of the objectives of the International Trusteeship System was made during the year under review. The Trust Territory of Somaliland under Italian administration became independent on 1 July 1960 and steps were taken for four other Trust Territories, namely the Cameroons under United Kingdom administration, Tanganyika, Western Samoa and Ruanda-Urundi, to achieve independence, either in their own right or by joining neighbouring independent countries, in the near future.

The Trusteeship Council met from 14 April to 30 June 1960 for its twenty-sixth session and again on 10 April 1961 for its eleventh special session. The twenty-seventh session, which began on 1 June 1961, is still under way at the time of the writing of the present report. During these sessions, the Council continued its review of the political, economic, social and educational development of the Trust Territories on the basis of the annual reports of the Administering Authorities, the reports of the Visiting Missions, petitions raising general questions concerning Trust Territories and, in the case of the Cameroons under United Kingdom administration, the report of the United Nations Plebiscite Commissioner. It examined, individually, a number of petitions containing requests or complaints of a personal or specific nature and made arrangements for the dispatch of a visiting mission to the Trust Territory of the Pacific Islands in 1961. Finally, it gave attention to a number of specific questions concerning the operation of the International Trusteeship System, such as the attainment by Trust Territories of self-government or independence, the revision of the questionnaire relating to Trust Territories, the dissemination of information on the United Nations in Trust Territories and the offers by Member States of study and training facilities for inhabitants of Trust Territories.

At its fifteenth session from 22 September to 20 December 1960 and from 7 March to 21 April 1961, the General Assembly took decisions regarding the termination of the Trusteeship Agreements for the Cameroons under United Kingdom administration and Tanganyika and made arrangements for the holding under United Nations supervision of a plebiscite in Western Samoa and of legislative elections in Ruanda-Urundi. In addition to these decisions which concerned specific Trust Territories, the General Assembly adopted several resolutions having a bearing on the operation of the International Trusteeship System. In resolution 1607 (XV), it sought to foster the dissemination of information on the United Nations among the peoples of the Trust Territories and, in particular, requested the Secretary-General to take the necessary action to establish without further delay in Tanganyika, Ruanda-Urundi and New Guinea United Nations information centres in which the responsible positions would be occupied by indigenous inhabitants. In resolution 1514 (XV) entitled "Declaration on the granting of independence to colonial countries and people", the Assembly declared, among other things, that immediate steps should be taken, in Trust and Non-Self-Governing Territories or all other territories which had not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom (see also under chapter II above).

The more important conclusions, recommendations and decisions adopted by the Trusteeship Council and the General Assembly concerning the Trust Territories and the main events which took place there during the year under review are set forth in separate sections below.

(b) Composition of the Trusteeship Council

The composition of the Trusteeship Council is defined by Article 86 of the Charter, which provides that it shall consist of: (*a*) those Members of the United Nations administering Trust Territories; (*b*) those permanent members of the Security Council which do not administer Trust Territories; and (*c*) as many other members elected for three-year terms by the General Assembly as may be necessary to ensure that the membership of the Council is equally divided between the administering members and the non-administering members.

At the time the General Assembly held its fourteenth session, in December 1959, the Trusteeship Council was composed of eight Administering Authorities, including France and Italy who would relinquish their administering responsibilities on 27 April and 1 July 1960, respectively, and of eight non-administering members, including Haiti and India whose terms would expire at the end of the year. As indicated in the previous report, the General Assembly discussed at the time the steps to be taken to maintain the principle of parity in the membership of the Council after France and Italy ceased to be Administering Authorities. Tentative solutions were proposed by Tunisia and the USSR, but their proposals failed to obtain the required majority and the General Assembly elected Bolivia to replace Haiti and re-elected India for terms of three years.

Consequently, after 27 April 1960 when France ceased to be an Administering Authority but, being a permanent member of the Security Council, remained in the Council as a non-administering member, the principle of parity was no longer complied with. The disparity further increased after 1 July 1960, when Italy ceased to be an Administering Authority and left the Council.

This problem was brought to the attention of the General Assembly at its fifteenth session. The Assembly, however, decided that, as a working arrangement, the Council should continue to function during 1961 on the basis of its existing membership. The Council therefore is at present composed of five Administering Authorities (Australia, Belgium, New Zealand, the United Kingdom and the United States) and eight non-administering members, of which three are permanent members of the Security Council (China, France and the USSR), three elected members whose terms are due to expire on 31 December 1961 (Burma, Paraguay and the United Arab Republic) and two elected members whose terms are due to expire on 31 December 1962 (Bolivia and India).

2. Conditions in the Trust Territories

(*a*) Trust Territories in Africa

Cameroons under United Kingdom administration

As reported previously, the General Assembly at its fourteenth session had decided that separate plebiscites should be held under United Nations supervision in the southern and northern parts of the Cameroons under United Kingdom administration before March 1961. It had also recommended that steps be taken to complete by 1 October 1960 the separation of the administration of the two parts of the Territory from that of the Federation of Nigeria.

The reports of the Administering Authority on these questions were considered by the Trusteeship Council at its twenty-sixth session. By resolution 2013 (XXVI), the Council requested the Administering Authority to take into account its observations and suggestions regarding the completion of the separation of the administration of the two parts of the Territory from that of the Federation of Nigeria not later than 1 October 1960, ensuring, in particular, the existence thereafter, until the completion of the plebiscites in the Territory, of police forces wholly responsible to the authorities in the Territory. The Council expressed the hope that steps would be taken to extend the principle of universal adult suffrage to all future elections in the Territory. It also requested the Administering Authority to take appropriate steps, in consultation with the authorities concerned, to ensure that the people of the Territory were fully informed, before the plebiscites, of the constitutional arrangements that would have to be made, at the appropriate time, to implement the decisions at the plebiscites.

In accordance with the decision of the General Assembly, separate plebiscites in the northern and southern parts of the Trust Territory were organized and conducted by the Administrative Authority in consultation with the United Nations Plebiscite Commissioner, Dr. Djalal Abdoh, of Iran, who, assisted by thirty-six members of the United Nations Secretariat, supervised the various phases of the plebiscites and the counting of ballots.

The results of the plebiscite in the Southern Cameroons, held on 11 February 1961, showed that 97,741 votes, or 29.51 per cent of the valid votes, were cast in favour of the Southern Cameroons joining the Federation of Nigeria, while 233,571, or 70.49 per cent, were cast for joining the Republic of Cameroun. In the Northern Cameroons plebiscite, held on 11 and 12 February 1961, a total of 97,659 votes, or 40.03 per cent, were cast in favour of the alternative of joining the Republic of Cameroun and 146,296, or 59.97 per cent, favoured the alternative of joining the Federation of Nigeria.

In his report on the organization and conduct of the two plebiscites, the United Nations Plebiscite Commissioner stated, with regard to the Southern Cameroons, that the people had had the opportunity to express their wishes freely and secretly at the polls concerning the alternative offered in the plebiscite. With regard to the northern part of the Territory, the Commissioner reported that, in spite of the defects and weaknesses inherent in the situation there, he was satisfied that the people had had the opportunity to express their wishes freely and secretly at the polls concerning the alternative offered in the plebiscite.

At its eleventh special session, the Trusteeship Council took note of the Commissioner's report and forwarded it to the General Assembly for its consideration. Subsequently, the Assembly, by its resolution 1608 (XV) of 21 April 1961, endorsed the results of the plebiscites that (*a*) the people of the Northern Cameroons had, by a substantial majority, decided to achieve independence by joining the independent Federation of Nigeria, and (*b*) the people of the Southern Cameroons had similarly decided to achieve independence by joining the independent Republic of Cameroun. It considered that the people of the two parts of the Trust Territory having freely and secretly expressed their wishes with regard to their respective futures, the decisions made by them through democratic processes under the supervision of the United Nations should be immediately implemented. The Assembly decided that, the plebiscites having taken place separately with differing results, the Trusteeship Agreement of 13 December 1946 concerning the Cameroons under United Kingdom administration should be terminated, in accordance with Article 76 b of the Charter of the United Nations and in agreement with the Administering Authority, in the following manner: (*a*) with respect to the Northern Cameroons, on 1 June 1961, upon its joining the Federation of Nigeria as a separate province of the Northern Region of Nigeria; (*b*) with respect to the Southern Cameroons, on 1 October 1961, upon its joining the Republic of Cameroun. The General Assembly also invited the Administering Authority, the Government of the Southern Cameroons and the Republic of Cameroun to initiate urgent discussions with a view to finalizing, before 1 October 1961, the arrangements by which the agreed and declared policies of the parties concerned would be implemented.

Somaliland under Italian administration

In accordance with the decision taken by the General Assembly at its fourteenth session in agreement with Italy as the Administering Authority concerned, the Trust Territory of Somaliland under Italian administration became independent on 1 July 1960 and, on that date, was joined by the British protectorate of Somaliland to form the Republic of Somalia. The Republic of Somalia was admitted as a Member of the United Nations during the fifteenth session of the General Assembly, on 20 September 1960.

Tanganyika

The Visiting Mission which went to Tanganyika in April 1960 reported that important constitutional advances had been announced by the Administering Authority for September and October 1960, which would involve the reconstitution of the Legislative Council on the basis of a much broader franchise and the introduction of responsible government.

At its twenty-sixth session, the Trusteeship Council welcomed those reforms and noted with great satisfaction that the Territory was moving into the last stages of political evolution before independence in an atmosphere of harmony and goodwill. It commended the Administering Authority and the leaders and people of Tanganyika for the parts which they had played in bringing this about and expressed the hope that smooth and rapid progress in the political field would be matched by an accelerated rate of progress in other fields, particularly the educational and economic spheres.

The Council noted that, with effect from 1 October, the Council of Ministers would be reconstituted to consist of the Governor (President), the Deputy Governor, ten non-official Ministers and two civil service Ministers (the Attorney-General and the Minister for Information Services), and that a post of Chief Minister would be created who would combine the functions of principal adviser to the Governor and leader of government business in the Legislative Council. The Council considered that these changes, although they did not represent the final stage of constitutional evolution before independence, nevertheless constituted a major step in that direction and would in practice result in the transfer of the main responsibility for the conduct of the Territory's affairs for the most part into the hands of Ministers chosen from among the elected representatives of the people.

With regard to the composition of the Legislative Council, the Council was informed that, following the general elections to be held in September, it would consist of seventy-one elected members, a majority of whom would be Africans, two *ex-officio* members, namely the two civil service Ministers, and a small number of nominated members, and that the parity system of racial representation and the compulsory tripartite vote which had elicited considerable criticism in the past would be abolished. These reforms were noted with satisfaction by the Council.

New franchise qualifications had been introduced which had resulted in the registration of 885,000 persons for the 1960 elections. The Council, recalling its previous recommendations concerning the desirability of promoting the introduction of universal adult suffrage with the least possible delay and noting the desire in the Territory for a broader suffrage, regretted that it had not been decided to introduce universal adult suffrage for those elections. It was pleased to note, nevertheless, that as a result of the recent reforms the number of persons registered on the electoral rolls had increased fifteen times, and was confident that the new Government would give this matter further attention and that the introduction of universal adult suffrage would not be long delayed.

The Council shared the concern of the Visiting Mission that urgent and intensive efforts should be made to ensure that Tanganyika might have at its disposal both before and after independence a body of competent civil servants in sufficient numbers for its growing needs. It endorsed the recommendations of the Mission that the Administering Authority should do all possible to assist the Tanganyika Government in carrying out a more comprehensive and intensive programme for the expansion of secondary and higher education and for an increase in the training of existing civil servants. At the same time, it hoped that experienced overseas personnel would continue to serve in Tanganyika if that were the desire of Tanganyika.

In the economic field, the Council, while noting with satisfaction the general expansion of the economy and the trend toward greater economic diversification, expressed concern about the financial and economic problems facing the Territory upon its emergence from trusteeship and welcomed the assurance of the Administering Authority that the latter was anxious to do everything in its power to help to carry forward the development of Tanganyika after independence if that was the desire of the Territory.

In the social field, the Council called for increased efforts to control communicable diseases, to promote the training of medical personnel and to stimulate a more dynamic programme of community development. Finally, regarding education, the Council considered that the existing situation was unsatisfactory and expressed the view that the Administering Authority should co-operate with the Tanganyika Government in planning a large-scale "crash programme" and assist in its implementation both financially and technically. It also welcomed the measures recommended by the Committee on Integration of Education with a view to putting into effect a new integrated system on 1 January 1962.

At the fifteenth session of the General Assembly, the Administering Authority reported that the constitutional changes referred to above had been put into effect and that Mr. Julius K. Nyerere had been appointed Chief Minister of Tanganyika. Following a constitutional conference held in Dar-es-Salaam in March 1961, agreement had been reached between representatives of the United Kingdom and Tanganyika Governments that Tanganyika would become a fully independent State on 28 December 1961,, and that full internal self-government would be introduced on 1 May 1961. On that date, the Governor, Deputy Governor and two official Ministers would no longer be members of the Council of Ministers, which would be renamed the Cabinet, while the Chief Minister would become Prime Minister and would preside over the Cabinet. During the period between the introduction of full self-government and the date of independence, defence would continue to be a reserved subject and the Governor, while continuing to be responsible for external affairs, would arrange for Ministers to be increasingly associated with the exercise of responsibilities in those fields, which would be transferred to ministerial hands on independence. The representative of the Administering Authority transmitted to the General Assembly a copy of a letter from the Chief Minister of Tanganyika requesting Her Majesty's Government to take early action in the United Nations aiming at the termination of the Trusteeship Agreement on the agreed date for independence.

On 21 April 1961, the General Assembly unanimously adopted resolution 1609 (XV) whereby it resolved in agreement with the Administering Authority that the Trusteeship Agreement for Tanganyika should cease to be in force upon the accession of Tanganyika to independence on 28 December 1961, recommended that Tanganyika should be admitted to membership in the United Nations and requested the Administering Authority to present to the Trusteeship Council at its twenty-seventh session further information on the Dar-es-Salaam constitutional conference and on the measures already taken or planned by the Administering Authority to ensure the transfer of powers to the legislative and executive organs of Tanganyika.

Ruanda-Urundi

At its twenty-sixth session, in June 1960, the Trusteeship Council considered the report of its Visiting Mission, which had been in Ruanda-Urundi in March, and had made a study of the Ruanda disturbances of November 1959 and the recent political developments in that Territory. The Council endorsed the opinion of the Visiting Mission that a conference comprising representatives of all sections of political opinion and of the Administering Authority could play a major role in achieving national reconciliation, and that it was politically highly desirable to adopt as soon as possible amnesty measures with regard to the events of November 1959 and to take measures to resettle or reintegrate the refugees who had been forced to leave their homes during these events. The Council welcomed the Administering Authority's intention to hold, early in 1961, elections on the basis of universal adult suffrage, for the purpose of constituting national assemblies for Ruanda and Urundi. It noted that communal elections, which were to be held in 1960, were to be regarded as being of an administrative, rather than a political, nature, and that these elections would not be used as a basis for further elections to the national legislatures. The Council welcomed the statement of the Administering Authority that, following national elections to be held early in 1961, a meeting would be held with the representatives of the Governments of Ruanda and Urundi to discuss the further constitutional development of the Trust Territory leading to its independence, and that this question would be included in the agenda of the sixteenth session of the General Assembly. The Council declared that it was convinced that in view of the essential community of interests and the facts of history and geography, the best future for Ruanda-Urundi lay in the evolution of a single, united and composite State with such arrangements for the internal autonomy of Ruanda and Urundi as might be agreed upon by their representatives.

Communal elections were held in Ruanda in July 1960 and resulted in a victory for the Hutu parties. New incidents occurred in Ruanda. The Mwami (king) left Ruanda in July 1960, and the Administering Authority decided in October 1960 that pending a decision on the problem of the monarchy, to be taken by the people themselves, he should remain abroad. In October 1960, a provisional council and a provisional government were set up in Ruanda.

In Urundi, communal elections were held in November-December 1960. A system of commissioners, invested with political functions, was established in September.

The emergency régime which had been declared in Ruanda in November 1959 and in Urundi in July 1960 was abolished in November 1960. In October 1960, however, new legislation gave considerable powers to the representatives of the Belgian administration.

At the fifteenth session of the General Assembly, in December 1960, lengthy discussions on Ruanda-Urundi took place in the Fourth Committee in which sixteen petitioners representing various political parties of both Ruanda and Urundi participated.

On 20 December 1960, the General Assembly adopted two resolutions. In resolution 1579 (XV), the General Assembly urged the Administering Authority to implement immediately measures of full and unconditional amnesty, and to adopt all possible means for the expeditious return and rehabilitation of thousands of victims of the disturbances in Ruanda. It recommended that a conference fully representative of political parties, attended by United Nations observers, should be held early in 1961, before the national elections, in order to compose the differences between the parties and to bring about national harmony, and that these elections, scheduled to be held in January 1961, should be postponed to a date to be decided on at the resumed fifteenth session of the General Assembly. It set up a United Nations Commission for Ruanda-Urundi, composed of three members (Mr. Max H. Dorsinville of Haiti, Chairman, Mr. Majid Rahnema of Iran and Mr. Ernest Gassou of Togo) to supervise the elections, attend the conferences and follow the events in the Territory.

In resolution 1580 (XV), the General Assembly requested the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami of Ruanda, and to facilitate his return to Ruanda to enable him to function as Mwami, and decided that a referendum should be held under the supervision of the United Nations Commission in order to ascertain the wishes of the people concerning the institution of the Mwami.

Early in January 1961, the United Nations Commission attended a conference in Ostend, Belgium, on the political problems of Ruanda-Urundi. After the conclusion of this meeting, the Belgian Government agreed to follow the General Assembly's recommendations regarding the postponement of the legislative elections to a later date and the organization of a referendum on the Mwami. The Commission departed for Ruanda-Urundi at the end of January, but it found that events in the Territory had in the meantime completely changed the political and legal background of the situation as it had appeared to the General Assembly in December, and had made the implementation of resolutions 1579 (XV) and 1580 (XV) infinitely more difficult. In Ruanda, following a *coup d'état* by the burgomasters and communal councillors, the monarchy had been abolished, a republic proclaimed, a president of the republic appointed, a legislative assembly elected and a government appointed, and the Administering Authority had recognized, *de facto,* the new institutions. In Urundi, the Administering Authority had organized indirect elections and had set up an interim council and a government.

According to the Belgian administration, the decisions taken in Urundi were necessary so that the country could be given organs capable of taking decisions on urgent problems, in view of the decision of the Belgian Government to postpone the holding of legislative elections. In Ruanda, the Belgian administration considered that the *coup d'état* had resulted from the feeling of the political leaders that they had been betrayed by the Administering Authority, from the conviction that the United Nations was hostile to them and from fear that the disorders in the neighbouring Republic of the Congo might extend to Ruanda.

The United Nations Commission returned to New York and reported to the General Assembly. Its report was examined at the resumed fifteenth session in March and April 1961, during which twenty-one petitioners from Ruanda-Urundi appeared.

On 21 April 1961, the General Assembly adopted resolution 1605 (XV) in which it called upon the Government of Belgium as the Administering Authority to ensure that the provisions of resolution 1579 (XV) were fully implemented by its representatives in Ruanda-Urundi before the legislative elections. It considered it necessary that, pending the establishment of popular governments on the basis of the legislative elections, broad-based caretaker governments should be constituted immediately to attend to current affairs of administration and to act in strict conformity with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly. It decided that the referendum on the Mwami of Ruanda and the legislative elections in Ruanda and Urundi should be held in August 1961, under United Nations supervision and in full consultation with the United Nations Commission. On the question of the amnesty, it recommended that the few cases which in the Administering Authority's view were guilty of "very grave crimes" be examined by a special commission composed of the representatives of three Member States elected by the General Assembly (Brazil, Canada and Tunisia) with a view to securing their release from prison or return from abroad in the full implementation of the Assembly's recommendation concerning amnesty, not later than two months before the national elections.

The Assembly also adopted resolution 1606 (XV) concerning land tenure and agrarian reform in Ruanda-Urundi in which it recommended that the Administering Authority urgently request the United Nations and the specialized agencies, under the technical assistance programmes, to dispatch an expert mission to study the problem of land tenure and land utilization in Ruanda-Urundi, in co-operation with the local authorities, with a view to determining how far the present system is prejudicial to the Territory's social and economic development, and to recommend corrective measures. It expressed the hope that the Technical Assistance Board and the specialized agencies concerned would give favourable consideration to such a request.

At the time of the writing of the present report, the Commission for Ruanda-Urundi and the Special Commission had both left for Belgium and Ruanda-Urundi.

(*b*) TRUST TERRITORIES IN THE PACIFIC

Western Samoa

At its twenty-sixth session, the Trusteeship Council was informed of the steps taken by the Administering Authority to lead Western Samoa to independence. A cabinet system of government had been introduced and was working efficiently. The working committee on self-government had nearly completed a preliminary draft of the constitution. The constitutional convention which would consider and adopt the constitution would meet in July or August 1960 before the elections for a new legislative assembly. The wishes of the population concerning their future would be ascertained in a plebiscite tentatively scheduled for May 1961 and the Administering Authority intended to request the General Assembly at its fifteenth session to consider the questions to be put in the plebiscite and to make arrangements for its supervision by the United Nations. Although no decision had yet been reached by the working committee on the question of suffrage, the plebiscite would be held on the basis of universal adult suffrage. The Administering Authority considered that that could play a positive role in educating the people regarding the advantages of universal suffrage.

The Council noted the above measures with satisfaction. On the question of suffrage, it considered that the racial basis of the existing electoral arrangements should be eliminated and expressed the hope that universal adult suffrage would be accepted by the people of Western Samoa and adopted at an early date. Concerning the future of the Territory, the Council adopted a resolution (2014 (XXVI)) recommending that the question be inscribed as a separate item on the provisional agenda of the General Assembly.

While it devoted particular attention to the political advancement of the Territory, the Council also examined its economic, social and educational conditions and made recommendations calling for continued efforts on the part of the Administering Authority and Government in these fields.

The General Assembly discussed the future of Western Samoa at its fifteenth session. In addition to the report of the Trusteeship Council, it had before it the Constitution of the Independent State of Western Samoa as adopted by the Constitutional Convention on 28 October 1960.

During the discussion of this item by the Fourth Committee, the representative of the Administering Authority and the Prime Minister of Western Samoa pointed out that neither the Legislative Assembly, nor the Constitutional Convention, both of which had requested the termination of the Trusteeship Agreement on the basis of independence for Western Samoa, had been elected on the basis of universal suffrage. In their opinion, there was no doubt, however, that the views of both these bodies represented those of the vast majority of the Samoan people. They were therefore in general agreement with the position taken by the members of the Constitutional Convention that it was unnecessary to seek the views of the Samoan people regarding the termination of the Trusteeship Agreement when these had already been clearly expressed in resolutions adopted by the Convention. Nevertheless, the representative of the Administering Authority and the Prime Minister of Western Samoa assured the Fourth Committee that, if the General Assembly considered it still desirable to seek confirmation of the views of the Samoan people by means of a plebiscite, both the Governments of New Zealand and of Western Samoa would co-operate fully with the United Nations.

On 18 December 1960, the General Assembly adopted resolution 1569 (XV) in which it recommended that the Administering Authority take steps, in consultation with the United Nations Plebiscite Commissioner, to organize, under the supervision of the United Nations, a plebiscite in Western Samoa in order to ascertain the wishes of the inhabitants of the Territory concerning their future. It recommended further that the plebiscite should take place in the month of May 1961 and that the questions to be asked should be: "(1) Do you agree with the Constitution adopted by the Constitutional Convention on 28 October 1960? (2) Do you agree that on 1 January 1962 Western Samoa should become an independent State on the basis of that Constitution?" It also recommended that the plebiscite should be conducted on the basis of universal suffrage with all adult citizens of Western Samoa being entitled to vote. At the same time, the Assembly appointed Mr. Najmuddine Rifai, of the United Arab Republic, as United Nations Plebiscite Commissioner for Western Samoa.

The plebiscite, under United Nations supervision, took place on 9 May 1961. The final result showed that 37,897 persons, or 86.1 per cent of the total number of estimated eligible voters, participated in the plebiscite. A total of 31,426 persons, or 83 per cent of the people who had voted, were in favour of the Constitution, and 29,882 persons, or 79 per cent, in favour of the independence of Western Samoa.

The United Nations Plebiscite Commissioner reported that the plebiscite had been fair and impartial and that no complaints or petitions had been submitted with regard to its organization or conduct. The Commissioner also reported that the participation of the large number of both titled and untitled men in the plebiscite, as well as the enthusiasm with which women had flocked to the polls were most welcome signs and a hopeful augury for the future. He considered that the conduct of all the people during the plebiscite had shown a sense of responsibility and respect for order which deserved the highest praise. He expressed the confidence that the exercise of universal adult suffrage for the first time by the people of the Territory would be the beginning of an evolution which might, in due time, lead to its adoption in the political life of Western Samoa.

New Guinea

Following its review of conditions in New Guinea, the Council at its twenty-sixth session expressed its appreciation of the progress achieved in the economic, social and political advancement of New Guinea, but considered that the rate of progress, especially in the political field, needed to be accelerated. It recommended that the Administering Authority should seek the assistance of international agencies in greater measure than hitherto in the task of promoting the advancement of the Territory.

In the political field, the Council again recommended that indigenous participation in the Legislative Council should be broadened. It considered that the official majority should be progressively reduced and that popular representation, preferably elective representation, should be correspondingly increased. While welcoming the establishment of three more local government councils, it recommended that energetic steps should be taken to establish councils throughout the Territory. It also urged the Administering Authority to take all possible measures to increase rapidly indigenous representation on district and town advisory councils. Regarding the Public Service, the Council considered that the progress made in remedying the shortage of staff in the Territory had been disappointing, particularly in the recruitment of indigenous civil servants, and urged that training programmes for indigenous inhabitants for higher posts in all branches of the civil service be intensified and that the training of indigenous personnel for higher grades in the administration should be stressed in particular.

Noting that the great majority of the indigenous inhabitants were still engaged in a subsistence economy and that there was little industry in the Territory, the Council recommended that the Administering Authority should formulate a comprehensive plan for the integrated development of the economy with special emphasis on the interests of the indigenous population in order to raise living standards appreciably. It reiterated the view that the Administering Authority should seek financial and technical assistance from the specialized agencies of the United Nations and other international bodies. The Council also made recommendations concerning the taxation system, the composition of the Land Development Board, the establishment of secondary industries and the construction of new roads.

In the social field, the Council welcomed a number of favourable developments with regard to the advancement of women in the Territory, but noting that their participation in local government was still negligible, it suggested that the Administering Authority consider the advisability of proposing to local government councils that they might reserve a suitable number of seats for women members on these councils. Regarding public health, the Council noted that during the year under review there had been increases in some categories of medical and health staff and that training programmes for assistant medical practitioners, nurses and other staff continued to move forward. It recommended that the Administering Authority intensify its efforts to recruit more personnel and increase its training programmes for indigenous personnel. It also recommended that special attention should be given to devising a well-planned intensive programme to supplement the existing programme to combat malnutrition.

Finally, in the educational field, the Council expressed the view that the number of children receiving secondary education was quite inadequate for the many and growing needs of government and private employment, and urged the Administering Authority to attack this basic problem energetically through the establishment of a comprehensive programme with clearly defined stages. It considered that, in any planned development of the Territory's education, high priority should go to secondary education, the necessary facilities for which should be developed in the Territory itself.

Conditions in New Guinea were again examined by the Council at the beginning of its twenty-seventh session. This examination has not yet been completed at the time of the writing of the present report.

Nauru

Conditions in Nauru were reviewed by the Trusteeship Council at its twenty-sixth session. The Council continued to give particular attention to the future of the Nauruan community after the phosphate deposits which constitute the only important natural resource of the Territory have been exhausted, which, it is estimated, will be in a period of forty years. Noting with satisfaction that the Australian Government had completed its comprehensive survey of the possible alternatives for the resettlement of the Nauruan community and that discussions were being held with the Governments of the United Kingdom and New Zealand, the Council strongly urged that the discussions be completed shortly and result in concrete proposals for the consideration of the Nauruan people. It noted the assurance given by the Administering Authority that the final decision and choice of alternatives would rest entirely with the Nauruans themselves and requested the Administering Authority to give the results of these discussions to the Council at its next session.

With regard to the development of representative organs of Government, the Council noted the Administering Authority's proposal to appoint an administrative assistant whose duties would include the examination of ways and means of promoting and strengthening the role of the Nauru Local Government Council. It reiterated its previous recommendations concerning the need to adopt further measures to promote the political advancement of the Nauruans, and hoped that the Administering Authority would continue to encourage the Local Government Council to exercise to the full the powers it now had.

In the economic field, the Council recommended that the Administering Authority continue to keep under active consideration the problem of making the worked-out phosphate lands cultivable. It further recommended continued efforts to encourage Nauruans to engage in agriculture wherever possible and also to promote further development of the fishing industry. Regarding the royalties paid by the phosphate industry, the Council commended the Administering Authority for the increase in the rate paid direct to the landowners. Noting that the general review of royalty rates begun in 1959 had reached the stage where the submissions of the British Phosphate Commissioners and of the Nauru Local Government Council were now being examined, it reiterated its view that any increases resulting from this review should be applied mainly to the Nauruan Community Long-Term Investment Fund. At the same time, the Council reiterated its previous recommendations requesting the Administering Authority to provide it with more comprehensive information concerning the operations of the British Phosphate Commissioners in Nauru.

Recommendations in the social field adopted by the Council laid special emphasis on the training of Nauruan medical and health personnel as well as on the removal of the existing disparities in working hours between Europeans and other workers employed by the British Phosphate Commissioners. The Administering Authority reported that there were six Nauruans undertaking training abroad in medicine, dentistry and nursing during the year under review, that all other training continued to be done at the Administration hospital and that the question of eliminating differentiation in working hours between Europeans and other workers employed by the British Phosphate Commissioners was under discussion with the Commissioners.

In the educational field, the Council once again commended the Administering Authority on the progress made. In urging that earnest consideration be given to ways and means of ensuring that students take full advantage of all educational opportunities afforded them, the Council reiterated its previous recommendation that the Administering Authority bear constantly in mind the need to assist Nauruans to qualify for higher posts in the Administration and with the British Phosphate Commissioners. The Council also expressed the hope that the Administering Authority would continue its efforts to raise the educational standard of the Nauruan people, giving due emphasis to vocational, technical and commercial training, so as to enable them to face the future with confidence.

Trust Territory of the Pacific Islands

In accordance with established practice, the Trusteeship Council submitted in July 1960 a report to the Security Council on the functions it had carried out on the latter's behalf relating to the political, economic, social and educational advancement of the inhabitants of the Trust Territory of the Pacific Islands, designated as a strategic area. Included among these functions was the review of conditions in the Territory undertaken at its twenty-sixth session.

The Council commended the Administering Authority for its work in the political, economic, social and educational fields. It also commended both the people and the Administering Authority for the success of their efforts in rehabilitating the areas affected by typhoons.

In the political field, the Council noted with satisfaction that the Administering Authority had exceeded its target in the chartering of municipalities. It also noted the satisfactory progress made by the district congresses, and hoped that the Administering Authority would find it possible to broaden and expand their activities. It considered that the present Inter-District Advisory Committee to the High Commissioner constituted an important step towards the creation of a territorial legislature and shared the hope of the Administering Authority that an elected Territorial Council might be established in approximately five years. In connexion with the division of the administration of the Territory between civil and naval authorities, the Council considered that the unification of the administration under a single civilian authority, together with the removal of the headquarters to a site within the Territory, would stimulate greater political cohesion amongst its peoples and would be in accordance with their wishes and interests.

Turning to the economic field, the Council expressed the hope that the results of a comprehensive economic survey announced by the Administering Authority would be submitted to it as soon as possible and that in preparing the survey the Administering Authority would draw on the best experience available, including, when appropriate, the specialized agencies of the United Nations. It urged the Administering Authority to continue its policy of introducing new crops and of developing the available resources with a view to achieving at least a measure of self-sufficiency as soon as possible. In this connexion, it expressed the hope that, in considering the extent of its contributions to the Territory's budget, the Administering Authority would bear in mind the need to allocate funds for development in those fields which were likely to produce increased local revenue and to lessen the Territory's dependence on external assistance. The Council also commended the Administering Authority for the rapid progress made in its initial efforts to establish a fishing industry and hoped that the Administering Authority would give urgent consideration to the establishment of industries based on copra, pineapple, canning, and the processing of other local products. It also suggested that due emphasis should be placed on training Micronesians in techniques for utilizing modern equipment and in the management of local industries. Other recommendations by the Council in the economic field included the establishment of an agricultural training centre and the drawing up of a comprehensive long-term plan to meet the future transportation needs of the Territory.

In the social field, the Council noted with satisfaction the achievement of the Administering Authority's plan to replace American medical personnel with Micronesians in six of the seven districts and hoped that the question of charges for medical and dental services would be reviewed, with a view to a modification of the present system, and perhaps the eventual abolition of all fees. Regarding education, the Council noted with satisfaction the progress made towards the achievement of uniform standards and of a unified elementary school curriculum. It considered that much of the Territory's future progress depended on the development of secondary education and recommended that the Administering Authority should intensify its efforts to reduce the gap which existed between primary and secondary school enrolments and that, to this end, it continue to press forward with its building programme for secondary schools.

At its twenty-sixth session, the Council also made arrangements for the dispatch of a visiting mission to the Territory. The Mission visited the Territory from 6 February to 13 March 1961 and, after its return to New York, submitted a report to the Council on its findings. This report is being considered by the Council at its twenty-seventh session together with the annual report of the Administering Authority.

B. NON-SELF-GOVERNING TERRITORIES

1. Transmission of information under Article 73 e of the Charter

During the period under review, the Secretary-General received information on fifty-one Territories from six Administering Members under Article 73 e of the Charter, as compared with fifty-six the previous year.

Administering Members used as a guide the revised standard form adopted by the General Assembly in resolution 551 (VI) of 7 December 1951 and amended in resolution 930 (X) of 8 November 1955. The Governments of Australia, the Netherlands, New Zealand and the United States of America, as in previous years, included information under the optional category in the standard form relating to government, in conformity with General Assembly resolutions 144 (II), 327 (IV), 848 (IX) and 1468 (XIV).

Following the examination of the Progress Report prepared by the Secretary-General in co-operation with the specialized agencies, the Assembly, in resolution 1535 (XV), considered that, while rapid economic, social and educational advancement must be directed towards the independence of the Territories, the inadequate level of development in these fields should not serve as a pretext for deferring their accession to independence.

It noted the lack of information of a political and constitutional character on a majority of the Non-Self-Governing Territories. The Assembly urged the Administering Members, once again, to extend their full co-operation to the Assembly by transmitting information of a political and constitutional character.

The Assembly also urged the Administering Members to strengthen their efforts in the economic, social and educational fields with the full participation of the indigenous inhabitants in all fields of activity.

2. Questions relating to the transmission and examination of information

(a) General

Following the adoption by the Assembly of resolution 1514 (XV), of 14 December 1960, entitled "Declaration on the granting of independence to colonial countries and peoples", the Fourth Committee decided to leave open the agenda item on information from Non-Self-Governing Territories until the resumed session of the Assembly in 1961. At the resumed session, on 20 April 1961, the Fourth Committee decided to inform the Assembly that, owing to the lack of time, the item would be taken up by the Committee at the sixteenth session. The General Assembly agreed to the decision of the Fourth Committee.

At the end of 1960, there were two vacancies in the membership of the Committee on Information from Non-Self-Governing Territories owing to: (1) the expiration of the term of office of Brazil; (2) the withdrawal of Belgium from the Committee following the attainment of independence of the Congo (Leopoldville); and (3) the adoption by the General Assembly of resolution 1542 (XV) of 15 December 1960, which invited the Governments of Portugal and Spain to participate in the work of the Committee on Information from Non-Self-Governing Territories.

With Portugal and Spain becoming members of the Committee, Liberia and Mexico were elected as members by the Committee on Information from Non-Self-Governing Territories for a three-year term, in accordance with the terms of paragraph 2 of General Assembly resolution 1332 (XIII) of 12 December 1958.

At its twelfth session, held from 24 April to 26 May 1961, the Committee on Information from Non-Self-Governing Territories discussed the dates of the transmission of information by Administering Members under Article 73 e, the question of the transmission of political information and the preparation and distribution of documents by the Secretariat. The report of the Secretariat on the dates of receipt of information showed that only in a few cases had information been transmitted on the schedule suggested by the General

Assembly. Members of the Committee expressed the hope that Administering Members would send information on Article 73 e on time.

The Committee on Information also considered the question of its renewal. Several members, referring to General Assembly resolution 1514 (XV), expressed the view that the Committee and its work should be viewed in the light of this resolution. The Committee should, therefore, not be renewed for a fixed period of time, but should be set up so that it would exist as long as there were any Non-Self-Governing Territories.

Some non-administering members observed that in the past it had been the practice for the Committee to approve periodically a draft resolution for the Assembly's consideration concerning the Committee's renewal and terms of reference. No such draft was before the Committee at the twelfth session and the matter could presumably be left to the Assembly at its sixteenth session. In the view of the representative of India, the Committee should be renewed on a more permanent basis. Fresh terms of reference should be adopted to make it possible for the Committee to make observations and substantive recommendations on individual Territories. The Committee should also abandon the three-year cycle it had hitherto followed and should study economic, social and educational conditions simultaneously every year. The representative of Iraq suggested that the Committee should also examine political and constitutional developments in the Territories. The representative of Argentina stated that it would be for the Assembly, in view of its Declaration on the granting of independence to Non-Self-Governing Territories, to make it possible for the Committee to exercise, in respect of Non-Self-Governing Territories, functions similar to those of the Trusteeship Council in regard to Territories with which it was concerned.

The representative of the United Kingdom stated that he would have been prepared to support a proposal to renew the Committee on the same basis as before, but since there were comments on possible changes in the terms of reference of the Committee, he agreed that the Committee should not, at this stage, attempt to formulate definite recommendations concerning its renewal. The representative of the United States suggested that, if some members of the Committee desired a change of the terms of reference of the Committee, the matter should be referred to the Fourth Committee of the General Assembly at the sixteenth session.

The Committee agreed that no specific recommendations should be submitted to the Assembly on the renewal of the Committee on Information from Non-Self-Governing Territories and its terms of reference.

At the Assembly's fifteenth session and at the twelfth session of the Committee on Information from Non-Self-Governing Territories, reference was made to the cessation of information on French Territories in South America. In the Committee, the representative of Mexico, supported by the representatives of India and Liberia, stated that General Assembly resolution 1541 (XV) provided the legal basis for judging the concrete measures which would lead to the independence of Non-Self-Governing Territories. He stated that the French Territories in South America had not yet achieved their independence and that their status was not clear. The Government of France had transmitted information on these Territories in 1946 and the cessation of information had not been approved by the General Assembly. But the Assembly had, in resolution 1541 (XV), asserted its competence to decide whether or not an obligation existed to transmit information and had adopted twelve principles to be used as a guide, and, accordingly, the status of these French Territories should be examined in the light of these principles.

The representative of France stated that the only responsibility that his Government had under Chapter XI was that for New Hebrides which it administered jointly with the United Kingdom.

(*b*) ECONOMIC CONDITIONS

At the Assembly's fifteenth session, the Fourth Committee had before it the Progress Report prepared by the Secretary-General with the co-operation of the specialized agencies and the observations and conclusions on it submitted by the Committee on Information from Non-Self-Governing Territories.

The progress achieved by the Non-Self-Governing Territories since the establishment of the United Nations formed one of the main themes of the general debate in the General Assembly's Fourth Committee. Several representatives referred to the Report as a set of facts which was a text-book for future activities in the Non-Self-Governing Territories. It reflected the responsibilities which rested on those who administered the Territories.

In the general debate in the Fourth Committee, a number of representatives agreed that there had been evident economic progress, although conditions reflected in parts of the report of the Committee on Information from Non-Self-Governing Territories caused some concern. The economies of the Territories continued to be based mainly on subsistence agriculture and the export of a few primary commodities to the respective metropolitan countries. The gap between the level of living of the under-developed countries and that of the developed countries, had, in fact, continued to widen. Although the gross national product had increased in all the Territories, per capita incomes were still among the lowest in the world.

These representatives were of the view that the Progress Report had made clear the extent to which certain Non-Self-Governing Territories were economically dependent on the respective metropolitan countries. They supported the view expressed by the Committee on Information that a considerably greater diversification in the direction of the Territories' trade, resulting in some reduction in their dependence on metropolitan markets, might lead to improvement in their terms of trade. They stated, however, that the economic development of the Territories and their association with the economies of the highly industrialized regions should not result in accentuating competition in existing markets, and suggested that the problem be studied in an international forum, like the General Agreement on Tariffs and Trade, so that all the various interests involved might be reconciled.

It was further suggested by some representatives that the first duty of the Administering Members was to ensure that countries, on the attainment of independence, received all the economic assistance they required.

The Assembly, in its resolution 1537 (XV) of 15 December 1960, took note of the report on economic conditions in Non-Self-Governing Territories prepared by the Committee on Information in 1960.

Economic conditions in Non-Self-Governing Territories were not fully discussed at the 1961 session of the Committee on Information from Non-Self-Governing Territories, as the subject had been given special attention at the previous session. At its twelfth session, the Committee reported that, as agriculture remained the basis of the economy in most Territories, it was urgently necessary to rehabilitate the rural economy, to diversify production and to accelerate the development of a market economy. Among other measures, it was suggested that Governments should encourage the development of small industries, which would help create national savings and develop manufacturing industries utilizing local material. These improvements would make the Territories self-sufficient in consumer goods. Power, mining and intra- and inter-territorial communications, including airlines, railways, mail routes and cultural exchange, also required intensive development. Several representatives expressed the hope that the Administering Members would make greater use of the United Nations technical assistance programme for the economic advancement of Territories under their administration.

(*c*) SOCIAL ADVANCEMENT

At its twelfth session, the Committee on Information gave special attention to questions concerning social advancement in the Territories, in accordance with the programme of work set out in General Assembly resolution 1332 (XIII). The Committee had before it special studies prepared by the Secretariat and the specialized agencies and summaries of information transmitted by Administering Members under Article 73 e of the Charter.

During the Committee's discussions, the representative of Australia, the Netherlands, New Zealand, the United Kingdom and the United States gave further details of advances in the social field, pointing out that most of the information they had transmitted to the Secretary-General, and on which the Secretariat had based its reports, was already out of date because of the rapid changes that had taken place. Other members of the Committee expressed regret that the supplementary data supplied by the Administering Members had not been made known in time to be taken into account in the examination of social advancement in the Territories.

The Committee considered the need for stabilizing urban populations through the provision of more and better housing and better wages; community development as a means for raising standards of living; rural development and land tenure, the expansion of agricultural services and the diversification of agricultural production; labour problems; social welfare services; treatment of juvenile offenders and the need to abolish corporal punishment; nutrition and public health; and racial discrimination.

The Administering Members referred to the extent to which they were now contributing to the budgets of the Territories under their administration, or providing financial and technical assistance for specific programmes in the social field. Some of these Members pointed out that in many areas of social advancement there was a limit to what their Governments could and should do and also a limit to what they could afford.

The Committee, as a whole, welcomed the progress reported by the Administering Members. Some non-administering members of the Committee stated, however, that the achievements in many instances fell far short of the needs of the people. Continuous social advancement, combined with economic development, was the basis of all political advancement. It was, therefore, the responsibility of Governments to finance social programmes and to take the initiative in improving living conditions in the Territories. There was a need for greater emphasis on planning for social development, and the expansion of preventive social welfare services. Much work was also still needed in the eradication of disease and the improvement of general conditions of health and nutrition. They stressed that the participation of the inhabitants of the Territories in the formulation of policy and implementation of such programmes was a prerequisite to the success of planning in the social field.

The Commitee had before it studies prepared by the Secretariat and the specialized agencies and supplemental information and texts of statements made by the representatives of the Administering Members. The majority of these reports were prepared on a regional and territorial basis, in contrast to previous reports of a similar nature which were more general in character. In the examination of this information, the Committee was guided by the views recorded in its 1952, 1955, 1958 reports and the 1960 Progress Report and, in particular, by the principal aims of social policy which were set out in its reports to the General Assembly in 1955 and 1958.

Reaffirming its 1955 definition, the Committee noted that social development was nothing less than the whole process of economic, social and political change and cultural advancement, considered in terms of the progressive well-being of society and of the individual. It considered that the emphasis should be on a common approach to development as a whole and on the co-ordination of services for economic, social and educational development.

The Committee noted that, although basic social conditions had not changed significantly, the expansion of various public services and the increasing participation of the inhabitants in these services were indications of some advancement achieved by the Governments and peoples of the Non-Self-Governing Territories.

As regards racial discrimination, the General Assembly, in resolution 1536 (XV) of 15 December 1960, endorsed the view expressed by the Committee on Information at its eleventh session in 1960 that racial discrimination was a violation of human rights and constituted a deterrent to progress in all fields of development in Non-Self-Governing Territories. It recommended that the Administering Members immediately rescind or revoke all laws and regulations which tend to encourage or sanction, directly or indirectly, discriminatory policies and practices based on racial considerations and that they do their utmost to discourage such practices by all other means possible. Administering Members were also requested by the Assembly to furnish all relevant information relating to the resolution to the Committee on Information from Non-Self-Governing Territories, so as to enable it to submit a report to the Assembly at its sixteenth session.

The Committee on Information at its 1961 session examined the question of the exercise of political rights, including the right to vote, and heard statements by Administering Members on the exercise of these rights in Territories under their administration. Some members of the Committee considered that the situation with regard to the extension to all inhabitants of the full exercise of basic political rights, and in particular the right to vote, was far from satisfactory in many Territories.

Recommending that all steps should be taken by Administering Members to implement the recommendations of Assembly resolution 1536 (XV), the Committee observed that a bold and realistic approach on the part of Administering Members and Territorial Governments was required, if the problem of racial discrimination was to be solved. The Committee drew the attention of the Administering Members to the Recommendation and the Convention against discrimination in education, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization in December 1960, and expressed the hope that the Non-Self-Governing Territories would be able to accede to this Convention. It stated that, since prejudice was one of the important factors contributing to racial discrimination, it was the duty of the Governments concerned to guide public opinion.

In its special report on social advancement in dependent Territories, the Committee concluded that the social and economic advancement of the Territories depends in large measure on the development of an adequately paid, integrated, stabilized and efficient labour force. It requested the Administering Members to secure, through a policy based on legislation, administrative action and persuasion, the collaboration of employers and of all sections of the population in the early attainment of this objective.

(*d*) EDUCATIONAL CONDITIONS

At its twelfth session, under its regular programme of work, the Committee on Information considered educational conditions in the Non-Self-Governing Territories.

The representative of UNESCO, reporting on measures taken for the elimination of illiteracy in the Territories, stated that it was becoming increasingly recognized that the pace of economic development was closely related to the educational advancement. A survey made by UNESCO in twenty Territories over the past decade showed that in eight of these Territories the percentage of children of school age attending school was still below 50 per cent, while in fourteen, only 5 per cent of the children between the ages of fifteen and nineteen were enrolled in secondary schools. In only three Territories was secondary school enrolment more than 10 per cent. Although there had been a number of literacy campaigns in the Non-Self-Governing Territories, lasting results had seldom been achieved.

A number of the non-administering members of the Committee stated that educational advancement in the Territories should take into account the passionate desire of the peoples of the Territories for education. The information before the Committee showed that, although progress had been made in some Territories, in others there had been no real increase in school enrolment. Secondary school enrolment was even less satisfactory, since only a small percentage of the primary students entered secondary schools. The enrolment of girls, especially at the secondary level, was much lower than that of boys.

Several members of the Committee pointed out that, in some of the Non-Self-Governing Territories, there were still separate facilities for children of different racial groups, with a disproportionate expenditure on non-indigenous education.

3. Guiding principles for determining the obligation to transmit information under Chapter XI of the Charter

At its fifteenth session, the General Assembly considered the report of the Special Committee of Six, which it had appointed under resolution 1467 (XIV) to study the principles which should guide Members in determining whether or not an obligation existed to transmit information under Article 73 e of the Charter. Members of the Committee were India, Mexico, Morocco, the Netherlands, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

The Committee had before it a paper prepared by the Secretariat, consisting of a summary of the history of the problem, together with opinions expressed by Members of the United Nations and opinions from legal treatises. Also before the Committee were the report of the *ad hoc* Committee on factors concerning the attainment of independence, appointed by the General Assembly under resolution 648 (VII), a list of the factors approved by the General Assembly in resolution 742 (VIII) and the *Repertory of Practice of United Nations Organs*. Replies sent to the Secretary-General by twenty-six Governments, in compliance with resolution 1467 (XIV), were also placed before the Committee.

The Special Committee noted that, since 1946, more than 100 million people, in some thirty Territories, had attained the goal set forth in Chapter XI of the United Nations Charter and that many former Non-Self-Governing Territories had become Members of the United Nations.

The report of the Committee of Six noted that the right of independent peoples to choose their own destiny was more universally accepted today than at any other time since the signing of the United Nations Charter, which was the culmination of progressive evolution in international thinking. The Committee emphasized that the United Nations Charter was a living document and the obligations under Chapter XI must be viewed in the light of the changing spirit of the times.

The Committee of Six was unanimous in adopting twelve principles which, in its view, should guide Members in assessing their obligations under Article 73 e of the Charter. The principles stated, *inter alia,* that (*a*) a *prima facie* obligation existed to transmit information under Article 73 e on Territories geographically separated and ethnically and culturally distinct from the administering country; (*b*) full self-government could be reached by the achievement of independence or free association or integration with an independent State; (*c*) the constitutional limitations in Article 73 e related only to the scope of information and arose only from constitutional relations of the Territories with the Administering Member.

The majority of the representatives in the Fourth Committee, welcoming the report and the twelve principles suggested by the Special Committee, maintained that the international community should supervise the development of those peoples who were still not free to conduct their own affairs. The provisions of Chapter XI of the United Nations Charter, they said, imposed an obligation on the Administering Members and, when the Assembly had approved a set of principles to guide Members, it would have established rules to determine the point at which a territory came under international supervision and the point at which supervision was no longer required.

Some members of the Committee stated that the discussion should be confined to a legal study of the principles, rather than to the application of these principles to any particular country. Others held that the principles should be adopted first and then a study made as to how these principles should be implemented, before the Assembly could decide whether any given country was right or wrong in refusing to transmit information.

A number of Members had reservations on the wording of the principles suggested by the Special Committee of Six. The representative of the United Kingdom on the Special Committee had made certain reservations as regards the reference to the desirability of United Nations supervision in principle IX (which deals with the manner in which a Non-Self-Governing Territory may be integrated with an independent State) and the statement of constitutional limitations in principle X (which refers to certain limitations on the transmission of information on Non-Self-Governing Territories). During the debate in the Fourth Committee, the representative of the United Kingdom explained that his delegation had clarified its position on the principles, as regards constitutional issues.

The General Assembly, in resolution 1541 (XV) of 15 December 1960, approved the principles contained in the report of the Committee of Six with some modifications.

4. Questions concerning information on territories under the administration of Portugal and Spain

The General Assembly, at its fifteenth session, debated the question of the transmission of information on Portuguese and Spanish territories. The representative of Spain stated that his Government had decided to transmit to the Secretary-General the information pertaining to the Territories referred to in Chapter XI of the Charter.

The Assembly, in resolution 1542 (XV), recalled that differences of views had arisen among Member States concerning the status of certain territories under the administration of Portugal and Spain and described by them as "overseas provinces" of the Metropolitan State concerned. The Assembly considered that, in the light of the provisions of Chapter XI of the Charter, Assembly resolution 742 (VIII) and the principles approved by the Assembly in resolution 1541 (XV) of 15 December 1960, territories, which it specified, under the administration of Portugal were Non-Self-Governing Territories within the meaning of Chapter XI of the Charter. It declared that an obligation existed on the part of the Government of Portugal to transmit information concerning these territories. The Assembly further invited the Governments of Portugal and Spain to participate in the work of the Committee on Information from Non-Self-Governing Territories.

The twelfth session of the Committee on Information was attended by the representative of Spain. Although the Committee did not have before it any summary of information transmitted by the Government of Spain, the Spanish representative orally provided the Committee with detailed information on the political, economic, social and educational conditions in Fernando Po, Rio-Muni and the Spanish Sahara. He explained that, because bilateral discussions had been held between his Government and the Government of Morocco with regard to Ifni, his Government had not considered it appropriate to include Ifni in the information he had provided to the Committee.

The Committee on Information, in its resolution, noted with regret the absence of the representative of Portugal from the Committee and that Portugal had not yet transmitted information under Article 73 e.

5. Preparation and training of indigenous civil and technical cadres

Following the examination at its fifteenth session of the Report on Progress achieved in the Non-Self-Governing Territories since the establishment of the United Nations, the General Assembly on 15 December 1960 adopted resolution 1534 (XV) on the preparation and training of indigenous civil and technical cadres in the Non-Self-Governing Territories.

The Assembly noted that the information contained in the Progress Report showed that there were serious shortages of trained personnel in the Territories. It requested the Administering Members to prepare special reports setting out all available information on the training facilities for, and the current strength, composition, and state of preparation of, civil and technical services in the Territories under their administration. The Assembly also asked that these special reports should be transmitted on time so as to enable the Committee on Information from Non-Self-Governing Territories to examine these reports and report on them at the Assembly's sixteenth session.

At its twelfth session, the Committee on Information had before it a preliminary note prepared by the Secretariat on the basis of the information transmitted to the Secretary-General under Article 73 e of the Charter. The Committee also had before it special reports from the United Kingdom and later from Australia, the Netherlands, New Zealand and the United States in response to General Assembly resolution 1534 (XV). Statements were made by the representatives of the Administering Members who undertook to provide more information in the future.

Some members of the Committee stressed the necessity of making greater efforts to train civil and technical personnel, so as to enable the Territories to proceed smoothly to independence or self-government. They stated that what was needed was a new orientation of policy in keeping with the principles and objectives of the Charter. The declared intention of the Administering Members to lead the people of the Territories to independence or self-government carried with it the obligation to begin, long before the transfer of power, the creation of an educated population and a trained civil service. With the rapid changes taking place, it was now necessary to accelerate the whole process of training so that the people of the Territories would be prepared for self-government in a considerably reduced time.

The representative of Ghana cited the experience of his own Government and described the various schemes by which it has been able to staff its own civil service with clerical, executive and administrative personnel, and with a minimum number of staff from abroad.

Several members of the Committee drew attention to General Assembly resolution 1534 (XV), which referred especially to "indigenous" civil and technical cadres. They pointed out that much of the information provided emphasized the "localization" of civil service personnel, whereas the General Assembly was concerned primarily with the training of the indigenous inhabitants to enable them to staff their own national civil services upon the attainment of self-government. Further, the continued existence of separate civil services organized along racial lines was incompatible with the objectives contained in General Assembly resolution 1534 (XV). In many cases no information had been provided showing the number of indigenous inhabitants in various posts and training centres.

Several representatives also referred to various international programmes under the United Nations and specialized agencies which provided assistance in the training of public service personnel in such fields as economic planning, education and statistics. They expressed the hope that the Administering Members would make full use of these opportunities for the participation in these programmes of the peoples of the Territories.

The representative of India recalled that the information transmitted by the Administering Members in compliance with General Assembly resolution 1534 (XV) had been received too late for the Secretariat to analyse it and, in most cases, had not been available to the Committee prior to the discussion. Furthermore, such information as was available had been inadequate. He proposed, therefore, that: (1) the Committee should report to the Assembly that because of the lack of information it had not been able to examine fully the question of the preparation and training of indigenous civil and technical cadres in the Non-Self-Governing Territories; (2) the Committee should annex to its report to the Assembly, first, the reports transmitted by the Administering Members and texts of the oral statements they had made before the Committee; and, second, an analysis, to be prepared by the Secretariat, of the information contained in these reports, including relevant observations and comments made by the non-administering members.

The Committee accepted this proposal, with the understanding that the analysis to be prepared by the Secretariat of the information provided by the Administering Members and that the comments made in the Committee should be submitted as a separate report to the Assembly at its sixteenth session.

6. Dissemination of information on the United Nations

The fifteenth session of the General Assembly had before it a report by the Secretary-General on the current state of the dissemination of information concerning the United Nations in the Non-Self-Governing Territories, and on further measures to that end. The report, based on information transmitted by Administering Members under Article 73 e, also contained details on the distribution of the United Nations Official Records and special material prepared by the United Nations Office of Public Information for use by the press, radio, visual media, government officials, educational institutions and non-governmental organizations in the Non-Self-Governing Territories. The report noted that information transmitted under Article 73 e on this subject varied in scope and scale and that, in general, details were lacking. The report pointed out that the basic need was for more material for the use of information media.

The Assembly in resolution 1538 (XV) of 15 December 1960 considered that measures adopted so far by some Administering Members for the dissemination of information on the United Nations among the inhabitants of Non-Self-Governing Territories did not include steps to secure the active support and participation of representative organizations of these inhabitants for the purpose of spreading such information. The Assembly invited the Administering Members to make further efforts in this direction and to broaden the scope and accelerate the process of dissemination of information by making full use of the facilities provided by the United Nations Office of Public Information.

The Assembly requested the Secretary-General to review the quantity, quality and contents of the material distributed in order to meet the growing demand for such material to assist inhabitants of the Non-Self-Governing Territories towards an easy and intelligent understanding of the aims and activities of the United Nations. The Secretary-General was also requested to take steps to establish information centres in Territories such as those in East and Central Africa, Papua and the Caribbean Territories, and to report to the Assembly on the progress made in implementing these recommendations.

7. Participation of the Non-Self-Governing Territories in the work of the United Nations and of the specialized agencies

The General Assembly at its fifteenth session considered a report by the Secretary-General on the participation of Non-Self-Governing Territories in the work of the United Nations and the specialized agencies, submitted in accordance with Assembly resolution 1466 (XIV).

In the absence of information from Administering Members, the Secretary-General based his report on the publications of the various specialized agencies concerned. The report noted that most of the agencies had provisions in their constitutions for associating Non-Self-Governing Territories in their work. With the exception of the Economic Commission for Europe, the resolution establishing each of the regional economic commissions provides for associate membership of territories situated in the geographical scope of the work of the commission concerned. Provision was made in the terms of reference of the Economic Commission for Asia and the Far East and of the Economic Commission for Africa for the admission to associate membership of Non-Self-Governing Territories at an early stage of the activities of the Commissions.

The Assembly, in its resolution 1539 (XV) of 15 December 1960, considered that direct participation of representatives of the indigenous peoples of the Non-Self-Governing Territories in the work of the appropriate organs of the United Nations was in the interest of the peoples of those Territories and could do much to accelerate the process of their emancipation. The Assembly invited the Administering Members to arrange for the participation of such representatives of the Territories in the work of the appropriate United Nations organs. It further invited Administering Members which had already not done so to propose to the specialized agencies and the regional economic commissions that Non-Self-Governing Territories participate in the work of those organs, as members or associate members, according to the constitution of each organ. The Assembly requested the Secretary-General to submit a report on the implementation of this resolution at its sixteenth session.

At the twelfth session of the Committee on Information from Non-Self-Governing Territories, in 1961, some Administering Members gave details of the participation of Territories under their administration in the work of the specialized agencies and the regional economic commissions of the United Nations. The United Kingdom representative, for example, pointed out that all United Kingdom Territories in Asia were associate members of ECAFE; all those in Africa, with the exception of Mauritius and Seychelles, participated in the work of ECA; and The West Indies, British Guiana and British Honduras were now associate members of ECLA.

8. International collaboration for economic, social and educational advancement

(*a*) International collaboration and technical assistance

The Committee on Information from Non-Self-Governing Territories had before it, at its twelfth session, a report on international technical assistance to Non-Self-Governing Territories and a report on international collaboration for economic, social and educational advancement prepared by the Secretariat under General Assembly resolution 220 (III) of 3 November 1948. This latter report dealt with decisions taken by the Economic and Social Council and studies made under its auspices which were of particular interest to Non-Self-Governing Territories. The Committee also had before it reports on the activities of WHO and UNICEF and a report by UNESCO on the elimination of illiteracy.

The Secretariat report on international technical assistance showed that, under the Expanded Programme of Technical Assistance, allocations recommended for Non-Self-Governing Territories would amount to about $2.5 million over the two year period 1961-1962. The programmes planned would require 114 experts and the award of 30 fellowships for 25 Territories. About 57 experts would be assigned to technical assistance in the field of health.

The ILO, FAO, WHO and UNESCO would, in addition, provide assistance to the Territories under their regular programmes of work. UNESCO was planning the assignment of fifty-one experts in eleven Territories. It was expected that these experts would be in the field before the end of 1961. The ILO would provide assistance to five Non-Self-Governing Territories in 1961-1962.

Administering Members discussed the technical assistance received by the Territories under their administration, in response to General Assembly resolution 444 (V) of 12 December 1950.

Several non-administering members suggested that the assistance of FAO be sought in connexion with programmes for rural development, of the ILO for increasing labour productivity, of WHO for the eradication of disease and the training of medical personnel and of UNESCO in connexion with the elimination of illiteracy and other aspects of education.

(*b*) Offers of studies and training facilities

At the fifteenth session of the General Assembly, the Secretary-General submitted a report on offers of studies and training facilities in accordance with Assembly resolution 1471 (XIV). The report contained a consolidated list of scholarships, made available since 1954, by twenty Member States for students from Non-Self-Governing Territories. It reviewed the manner in which the offers of scholarships had been used as well as the progress achieved in the implementation of the Assembly's resolution.

The Assembly, in resolution 1540 (XV) of 15 December 1960, noted with satisfaction the response to its resolution 845 (IX) inviting Member States to extend their offers of facilities for studies and training to the inhabitants of Non-Self-Governing Territories. It expressed regret that, despite this increase, a large number of scholarships so offered remained unutilized and that, in several instances, students who had been granted scholarships had not been accorded facilities to leave the Non-Self-Governing Territories. The Administering Members concerned were invited, once again, to take all necessary measures to ensure that scholarships and training facilities offered by Member States were utilized by the inhabitants of the Non-Self-Governing Territories and to render every assistance to those who had applied for or had been granted scholarships or fellowships.

The Assembly also urged Member States to increase the number of scholarships offered and requested them, in offering scholarships, to take into account the necessity of furnishing complete information on the scholarship offers and, whenever possible, to consider the need to provide travel funds to prospective students.

C. QUESTION OF SOUTH WEST AFRICA

During the period under review, there were a number of important new developments concerning the question of South West Africa, a question considered by the General Assembly during both the first and second parts of its fifteenth session.

On 4 November 1960, the Governments of Ethiopia and Liberia instituted contentious proceedings against the Union of South Africa in the International Court of Justice under article 7 of the Mandate for South West Africa (see chapter V, section 1). Proposals later made by the Union of South Africa that the question of South West Africa not be discussed on the ground that it was *sub judice* were rejected both by the Fourth Committee and the General Assembly.

The General Assembly linked its consideration of the action taken by Ethiopia and Liberia with its resolution 1361 (XIV) on legal action, the annual report of the Committee on South West Africa concerning conditions in the Territory and the failure of the Committee's efforts to negotiate with the Union Government in terms of General Assembly resolution 1360 (XIV), as well as the failure of negotiations and efforts on the part of the Assembly and its committees to bring about compliance by the Union Government with its obligations under the Mandate. By resolution 1565 (XV) of 18 December 1960, the General Assembly approved the observations of the Committee on South West Africa regarding the administration of the Territory, concluded that the dispute which had arisen between Ethiopia, Liberia and other Members, on the one hand, and the Union of South Africa, on the other, relating to the Mandate had not been and could not be settled by negotiation, and commended the two Governments on their initiative in submitting the dispute to the International Court.

The General Assembly examined a detailed report of the Committee on South West Africa concerning the disturbances which took place in Windhoek during December 1959, resulting in the death of eleven Africans and other casualties. The Committee associated the disturbances with an intensified application of the *apartheid* policy in urban areas, involving the removal of residents of "Native Locations" to new sites farther away from the residential areas of other racial groups. In resolution 1567 (XV) concerning the Windhoek Location, the General Assembly expressed deep regret at the action taken by the police and soldiers against the Location residents and requested the Mandatory Power to take steps to prosecute and punish the civilian and military officers responsible and to compensate the families of the victims. The Assembly urged the Mandatory Power to refrain from the use of direct or indirect force to secure the removal of Location residents and drew its attention to measures recommended by the Committee on South West Africa to alleviate the tension and unrest in Windhoek.

By resolution 1564 (XV), the General Assembly also urged the Union Government to instruct the competent authorities in the Territory to cease the arbitrary imprisoning and deporting of Africans, including leaders and members of the South West Africa Peoples Organisation, and to ensure the free exercise of political rights and freedom of expression for all sectors of the population.

The General Assembly gave special attention during both parts of its fifteenth session to requests by petitioners from the Territory, including several petitions appearing before the Fourth Committee, for a United Nations presence to be established in the Territory or for an impartial on-the-spot investigation of conditions. After discussing the matter, the General Assembly on 18 December 1960 adopted resolution 1568 (XV) by which it invited the Committee on South West Africa, in addition to its normal tasks, to go to the Territory to investigate the situation and to ascertain and make proposals on the conditions for restoring a climate of peace and security and the steps which would enable the indigenous inhabitants of South West Africa to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible. The Assembly urged the Union Government to facilitate the Committee's mission.

At the second part of its fifteenth session, the General Assembly again considered the situation on the basis of a preliminary report by the Committee on South West Africa to the effect that the Union Government had refused to co-operate with the Committee in the implementation of resolution 1568 (XV). On 7 April 1961, the General Assembly adopted resolution 1596 (XV) by which it rejected the position taken by the Union Government and requested the Committee on South West Africa immediately to proceed to discharge the special and urgent tasks assigned to it in resolution 1568 (XV) as fully and expeditiously as possible with the co-operation of the Union Government if such co-operation was available, and without it if necessary. Member States were requested to extend to the Committee such assistance as it might require in the discharge of those tasks. At the same time, the General Assembly decided to call the attention of the Security Council to the situation in respect of South West Africa, which if allowed to continue would, in the Assembly's view, endanger international peace and security. The Assembly also decided to call the attention of the Security Council to resolution 1596 (XV), the full implementation of which it considered necessary to bring the situation to a speedy end.

Earlier, by resolution 1593 (XV) of 16 March 1961, the General Assembly addressed an appeal to Member States which had particularly close and continuous relations with the Union Government to bring all their influence to bear on that Government with a view to ensuring that it adjust its conduct to its obligations under the Charter and give effect to the resolutions of the General Assembly.

In addition, during the first part of its fifteenth session, the General Assembly invited FAO, WHO, UNESCO and UNICEF, by resolution 1566 (XV) of 18 December 1960, to undertake urgent programmes to assist the indigenous population of South West Africa in their respective fields and to report during 1961 both to the Committee on South West Africa and the General Assembly on the action taken. The Union Government was requested to seek the assistance of the four agencies and to facilitate their work in the Territory in every possible way.

One other resolution concerning South West Africa adopted by the General Assembly during the session, resolution 1563 (XV) of 18 December 1960, dealt with petitions examined by the Committee on South West Africa.

Chapter V

LEGAL QUESTIONS

1. International Court of Justice

(a) Jurisdiction of the Court

Acceptance of compulsory jurisdiction

Since the last annual report, one State (Pakistan) has deposited a new declaration recognizing as compulsory the jurisdiction of the International Court of Justice, under Article 36, paragraph 2, of the Statute of the Court. This declaration replaced an earlier declaration which was withdrawn.

By a leter of 12 September 1960, received by the Secretary-General on 13 September 1960, the Government of Pakistan gave notice of the withdrawal and termination of its declaration of 23 May 1957 accepting as compulsory the jurisdiction of the International Court of Justice, subject to certain reservations and conditions. By a declaration of 12 September 1960, deposited with the Secretary-General on 13 September 1960, the same Government recognized as compulsory, subject to certain conditions, the jurisdiction of the Court until such time as notice may be given to terminate the acceptance.

New parties to the Statute of the Court

In the period under review, the following seventeen States have been admitted to membership in the United Nations: the Republic of Cameroun, the Togolese Republic, the Malagasy Republic, the Republic of Somalia, the Republic of the Congo (Leopoldville), the Republic of Dahomey, the Republic of the Niger, the Republic of the Upper Volta, the Republic of the Ivory Coast, the Republic of Chad, the Republic of the Congo (Brazzaville), the Gabon Republic, the Central African Republic, and the Republic of Cyprus on 20 September 1960, the Republic of Senegal and the Republic of Mali on 28 September 1960 and the Federation of Nigeria on 7 October 1960. These States thereby became parties to the Statute of the Court, Article 93 of the Charter providing that all Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

Instruments conferring jurisdiction on the Court

The following treaties and other instruments registered or filed and recorded with the Secretariat of the United Nations contained clauses conferring jurisdiction on the International Court of Justice in certain eventualities:

Treaty of Friendship, Commerce and Navigation between the United States of America and Nicaragua (signed at Managua on 21 January 1956).

Agreement on the Privileges and Immunities of the International Atomic Energy Agency (approved by the Board of Governors of the Agency on 1 July 1959).

Convention concerning the constitution of "Eurofima" (multilateral—done at Berne on 20 October 1955).

Agreement between Belgium and Iran concerning air transport (signed at Teheran on 14 April 1958).

Jurisdiction of the Court in advisory cases

The Agreement between the United Nations Educational, Scientific and Cultural Organization and France regarding the Headquarters of UNESCO and the privileges and immunities of that organization on French territory (signed at Paris on 2 July 1954) contains a provision authorizing the Director-General of UNESCO or the Minister of Foreign Affairs of the Government of the French Republic to request the General Conference of UNESCO to ask an advisory opinion of the International Court of Justice on any legal question raised in the course of arbitration of any dispute between the organization and the Government of the French Republic concerning the interpretation or application of the Agreement.

The Agreement on the Privileges and Immunities of the International Atomic Energy Agency (approved by the Board of Governors of the Agency on 1 July 1959) contains a provision whereby, if a difference arises between the Agency and a member and they do not agree on any other mode of settlement, a request shall be made for an advisory opinion on any legal question involved.

(b) Cases before the Court

Case concerning the Arbitral Award made by the King of Spain on 23 December 1906 (Honduras *v.* Nicaragua)

On 18 November 1960, the International Court of Justice delivered its Judgement in the case concerning the Arbitral Award made by the King of Spain on 23 December 1906, with regard to the determination of the frontier between Honduras and Nicaragua.

The proceedings in this case were instituted by Honduras against Nicaragua by an Application filed on 1 July 1958. Honduras asked the Court to adjudge and declare that Nicaragua was under an obligation to give effect to the Award; Nicaragua asked it to adjudge and declare that the decision given by the King of Spain did not possess the character of a binding arbitral award and that it was, in any case, incapable of execution.

In its Judgement, the Court found that Honduras and Nicaragua had on 7 October 1894 concluded a treaty, referred to as the Gámez-Bonilla Treaty, under which a Mixed Boundary Commission was entrusted with the duty of demarcating the dividing line between the two countries (article I), adhering, in so doing, to certain rules (article II). The points not settled by the Commission were to be submitted to an arbitral tribunal composed of one representative of each of the two countries, and of one member of the Diplomatic Corps accredited to Guatemala to be elected by the first two (article III). In case the diplomatic representative should decline the appointment, another election was to take place; when the membership of the Diplomatic Corps was exhausted, any foreign or Central American public figure might be elected, and, should that not be possible, the points in controversy were to be submitted to the Government of Spain or, failing that, to any South American Government (article V). The arbitral decision was to be held as a perfect, binding and perpetual treaty, not subject to appeal (article VII). Finally, the Treaty was to be submitted to constitutional ratifications (article VIII) and to remain in force for a period of ten years (article XI).

The Mixed Commission succeeded in fixing the boundary from the Pacific Coast to the *Portillo de Teotecacinte* but, with regard to the frontier from that point to the Atlantic Coast, it could only record its disagreement (1900-1901). With regard to that latter section of the boundary, the King of Spain on 23 December 1906 handed down an arbitral award the operative clause of which fixed the common boundary point on the Atlantic Coast as the mouth of the principal arm of the River Segovia (or Coco) between Hara and the island of San Pío where Cape Gracias a Dios is situated; from that point, the frontier was to follow the thalweg of the Segovia (or Coco) upstream until it reached the place of its confluence with the Poteca (or Bodega) continuing along the thalweg of the Poteca (or Bodega) until the latter joined the Guineo (or Namasli) to terminate at the *Portillo de Teotecacinte,* the *sitio* of the same name remaining within the jurisdiction of Nicaragua.

The Foreign Minister of Nicaragua, in a note dated 19 March 1912, had challenged the validity and binding character of the Award. This had given rise to a dispute between the parties. After unsuccessful attempts at settlement by direct negotiation or mediation, the Organization of American States had been seized of the dispute in 1957 with the result that Honduras and Nicaragua reached an agreement at Washington on 21 July 1957 to submit their disagreement to the Court.

Honduras alleged that there was a presumption in favour of the binding character of the Award as it presented all the outward appearances of regularity and had been made after the parties had had every opportunity to put their respective cases before the arbitrator; it contended that the burden lay upon Nicaragua to rebut that presumption by furnishing proof that the Award was invalid. Nicaragua contended that, as Honduras relied upon the Award, it was under an obligation to prove that the person giving the decision had been invested with the powers of an arbitrator, and it argued that the King of Spain had not been so invested.

In the first place, Nicaragua had argued that the requirements of articles III and V of the Gámez-Bonilla Treaty had not been complied with in the designation of the King of Spain as arbitrator. The record showed that the two national arbitrators had designated the Mexican *Chargé d'affaires* in Central America (1899), and later the Mexican Minister to Central America (1902) as the third member of the arbitral tribunal but that these two had, in turn, left Guatemala. Thereafter, on 2 October 1904, the two national arbitrators had met with the Spanish Minister to Central America whom they appointed "to be the chairman of a meeting preliminary to the arbitration", and, "by common consent and the requirements of articles III and V of the Gámez-Bonilla Treaty having previously been complied with", the King of Spain had been designated as arbitrator. The Court concluded that the requirements of the Gámez-Bonilla Treaty as interpreted by the two national arbitrators had been complied with. Subsequently, the Presidents of Honduras and of Nicaragua expressed their satisfaction at the designation of the King of Spain (6 and 7 October 1904), the acceptance of the latter was communicated to the two countries on 17 October 1904 and the Foreign Minister of Nicaragua expressed his gratitude to the Spanish Minister of State in a note of 21 December 1904. In these circumstances, the Court was unable to hold that the designation of the King of Spain as arbitrator was invalid.

In the second place, Nicaragua had contended that the Gámez-Bonilla Treaty had lapsed before the King of Spain agreed to act as arbitrator (17 October 1904); it argued that the Treaty had come into effect on the date on which it was signed (7 October 1894) and that by virtue of article XI it had lapsed on 7 October 1904. The reply of Honduras was that the Treaty had not come into effect until the exchange of ratifications (24 December 1896) and that it had consequently expired on 24 December 1906. There was no express provision in the Treaty with regard to the date of its entry into force but, taking into consideration its provisions with regard to the exchange of ratifications, the Court was of the view that the intention of the parties had been that it should come into force on the date of the exchange of ratifications. It found it difficult to believe that the parties had had in mind an interpretation of the Treaty according to which it was due to expire five days after agreement was reached on the designation of the King of Spain as arbitrator (2 October 1904). If this were not the case, when confronted with the suggestion of the Spanish Minister to Central America on 21 and 24 October 1904 that the period of the Treaty might be extended, the two Governments would either have taken immediate appropriate measures for its renewal or extension, or they would have terminated all further proceedings in respect of the arbitration. The Court therefore concluded that the King's acceptance of his designation as arbitrator had been well within the currency of the Treaty.

Finally, the Court considered that, having regard to the fact that the designation of the King of Spain was freely agreed to by Nicaragua, that no objection was taken by Nicaragua to his jurisdiction, either on the ground of the irregularity in his designation or on the ground that the Treaty had lapsed, and that Nicaragua had fully participated in the arbitral proceedings, it was no longer open to Nicaragua to rely on either of those contentions as furnishing a ground for the nullity of the Award.

Nicaragua had urged that even under those conditions the Award was a nullity and Honduras had answered that the conduct and attitude of Nicaragua showed that it accepted the Award as binding and that, in consequence of that acceptance and of its failure to raise any objection for a number of years, it was no longer open to Nicaragua to question the validity of the Award.

The Court recalled in the first place that, on 25 December 1906, the President of Nicaragua had sent a telegram to the President of Honduras in which he congratulated him on having won the day and observed that the irksome question of the delimitation of the frontier had been resolved in a satisfactory manner. Nicaragua had urged that the President was not then aware of the actual terms of the Award, but the Court pointed out that, from a telegram of the Minister of Nicaragua in Madrid of 24 December 1906, he had learned the course which the boundary line was to follow. In any event, the full terms of the Award must have become available to the Nicaraguan Government fairly soon since the Award was published in its Official Gazette on 28 January 1907. Even thereafter, the attitude of Nicaragua towards the Award had continued to be one of acceptance, subject to a desire to seek clarification of certain points which would facilitate the carrying into effect of the Award (the message of the President of Nicaragua to the National Legislative Assembly of 1 December 1907, the Foreign Minister's report to the National Legislative Assembly of 26 December 1907, the decree of the National Legislative Assembly of 14 January 1908, etc.). No request for clarification had, in fact, been submitted to the King of Spain, and it was not until 19 March 1912 that the Foreign Minister of Nicaragua for the first time stated that the Arbitral Award was not "a clear, really valid, effective and compulsory Award".

In the judgement of the Court, Nicaragua, by express declaration and by conduct in conformity with article VII of the Gámez-Bonilla Treaty, had recognized the Award as binding, and it was no longer open to Nicaragua to go back upon that recognition. Nicaragua's failure to raise any question with regard to the validity of the Award for several years after it had become known to it confirmed that conclusion. However, even if there had not been repeated acts of recognition and even if its complaints had been put forward in proper time, the Award would still have to be recognized as valid. Nicaragua's first complaint was that the King of Spain had exceeded his jurisdiction by reason of non-observance of the rules laid down in article II of the Gámez-Bonilla Treaty, but the Court, having carefully considered the allegations of Nicaragua, was unable to arrive at the conclusion that the arbitrator had gone beyond the authority conferred upon him. Nicaragua had also contended that the Award was a nullity by reason of essential error, but the Court held that the evaluation of documents and of other evidence appertained to the discretionary power of the arbitrator and was not open to question. The last ground of nullity relied upon had been the alleged lack or inadequacy of reasons in support of the conclusions arrived at by the arbitrator but, in the opinion of the Court, that ground was without foundation.

It had further been argued by Nicaragua that the Award was not in any case capable of execution by reason of its omissions, contradictions and obscurities: Nicaragua had contended that the mouth of a river was not a fixed point and could not serve as a common boundary between two States and that vital questions of navigation rights would be involved; it had further argued that the delimitation in the operative clause left a gap of a few kilometres from the junction of the Poteca (or Bodega) with the Guineo (or Namasli) up to the *Portillo de Teotecacinte*. In view of the clear directive in the operative clause and the explanations in support of it, the Court did not consider that the Award was incapable of execution.

For these reasons, by 14 votes to 1, the Court held that the Award was valid and binding and that Nicaragua was under an obligation to give effect to it.

Judge Moreno Quintana appended to the Judgement a declaration. Judge Sir Percy Spender appended a separate opinion and Mr. Urrutia Holguín, Judge *ad hoc*, a dissenting opinion.

Case concerning the Temple of Preah Vihear (Cambodia *v.* Thailand)

On 26 May 1961, the Court delivered its Judgement in the case concerning the Temple of Preah Vihear (Preliminary Objections) between Cambodia and Thailand.

Proceedings in this case, which relates to the territorial sovereignty over the Temple of Preah Vihear, were instituted by an Application by the Government of Cambodia dated 30 September 1959. The Government of Thailand raised two preliminary objections to the jurisdiction.

In its Judgement the Court noted that, in invoking the jurisdiction of the Court, Cambodia had based itself principally on the combined effect of its own acceptance of the compulsory jurisdiction of the Court and of a declaration made by Thailand on 20 May 1950 which was in the following terms:

> "I have the honour to inform you that by a declaration dated September 20, 1929, His Majesty's Government had accepted the compulsory jurisdiction of the Permanent Court of International Justice in conformity with Article 36, paragraph 2, of the Statute for a period of ten years and on condition of reciprocity. That declaration has been renewed on May 3, 1940, for another period of ten years.
>
> "In accordance with the provisions of Article 36, paragraph 4, of the Statute of the International Court of Justice, I have now the honour to inform you that His Majesty's Government hereby renew the declaration above mentioned for a further period of ten years as from May 3, 1950, with the limits and subject to the same conditions and reservations as set forth in the first declaration of Sept. 20, 1929."

Thailand had raised a first preliminary objection on the ground that that declaration did not constitute a valid acceptance on its part of the compulsory jurisdiction of the Court. It in no way denied that it had fully intended to accept the compulsory jurisdiction but, according to its argument, it had drafted its declaration in terms revealed by the decision of the Court of 26 May 1959 in the case concerning the *Aerial Incident of 27 July 1955* (Israel *v.* Bulgaria) to have been ineffectual. Article 36, paragraph 5, of the Statute of the Court, provided that:

> "Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptances of the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms."

The Court had held that that provision applied only to the original parties to the Statute, and that Bulgaria, not having become a party to the Statute until 14 December 1955, its declaration of acceptance of the compulsory jurisdiction of the Permanent Court must be regarded as having lapsed on 19 April 1946, the date when the Permanent Court had ceased to exist. In the present case, Thailand had proceeded on the basis that its position was the same as that of Bulgaria, since it had become a party to the Statute only on 16 December 1946, some eight months after the demise of the Permanent Court. Its declaration of acceptance of the compulsory jurisdiction of the Permanent Court would accordingly not have been transformed into an acceptance relating to the present Court and all it actually would have achieved was a necessarily inoperative renewal of an acceptance of the compulsory jurisdiction of a tribunal that no longer existed.

The Court did not consider that its Judgement of 1959 had the consequences which Thailand claimed. Apart from the fact that that Judgement had no binding force except between the parties, the Court took the view that Thailand, by its declaration of 20 May 1950, had placed itself in a different position from Bulgaria. At that date, not only had Thailand's declaration of 1940 never been transformed into an acceptance of the compulsory jurisdiction of the present Court, but, indeed, it had expired, according to its own terms, two weeks earlier (on 6 May 1950). The declaration of 20 May 1950, a new and independent instrument, had not therefore been made under Article 36, paragraph 5, of the Statute, the operation of which, on any view, was wholly exhausted so far as Thailand was concerned.

In the course of the proceedings there had been some discussion as to whether a lapsed instrument could be renewed, but the Court considered that the real question was, what was the effect of the declaration of 1950. It had also been said that Thailand had in 1950 held a mistaken view and for that reason had used in its declaration language which the decision of 1959 had shown to be inadequate to achieve its purpose, but the Court did not consider that the issue in the present case was really one of error. It had also been argued that the intent without the deed did not suffice to constitute a valid legal transaction, but the Court considered that, in the case of acceptance of the compulsory jurisdiction, the only formality required was that of deposit with the Secretary-General of the United Nations, a formality which had been accomplished by Thailand in accordance with Article 36, paragraph 4, of the Statute.

The sole relevant question was therefore whether the language employed in Thailand's 1950 declaration did reveal a clear intention, in the terms of Article 36, paragraph 2, of the Statute, to recognize as compulsory the jurisdiction of the Court. If the Court applied its normal canons of interpretation, that declaration could have no other meaning than as an acceptance of the compulsory jurisdiction of the present Court, since there was no other Court to which it could have related. Thailand, which was fully aware of the nonexistence of the former Court, could have had no other purpose in addressing the Secretary-General of the United Nations under paragraph 4 of Article 36 of the Statute than to recognize the compulsory jurisdiction of the present Court under paragraph 2 of that Article; nor indeed did it pretend otherwise. The remainder of the declaration had to be construed in the light of that cardinal fact, and in the general context of the declaration; the reference to the 1929 and 1940 declarations must be regarded simply as being a convenient method of indicating, without stating them in precise terms, what were the conditions upon which the acceptance was made.

The Court, therefore, considered that there could not remain any doubt as to what meaning and effect ought to be attributed to the 1950 declaration and it rejected the first preliminary objection of Thailand.

The Court next found that that conclusion was sufficient to establish the Court's jurisdiction and that it was unnecessary to consider the second basis of jurisdiction invoked by Cambodia (certain treaty provisions for the judicial settlement of any disputes of the kind invoked in the present case) and of Thailand's objection to that basis of jurisdiction.

The Court, accordingly, unanimously held that it had jurisdiction. Vice-President Alfaro and Judges Wellington Koo, Sir Gerald Fitzmaurice and Tanaka appended declarations to the Judgement, and Judges Sir Percy Spender and Morelli appended separate opinions.

By an Order of 26 May 1961, the Court has fixed time-limits for the further pleadings on the merits.

Case concerning the Compagnie du Port, des Quais et des Entrepôts de Beyrouth and the Société Radio-Orient (France *v.* Lebanon)

This case was referred to the Court on 13 February 1959 by an Application of the French Government instituting proceedings against the Lebanese Government. It related to a dispute arising out of the imposition of certain taxes on two French companies operating in Lebanon, in a manner alleged by the French Government to be contrary to an Agreement of 24 January 1948 between France and Lebanon. The annual reports for the previous two years contain an account of the facts and the initial proceedings in the case. In the last report it is recorded that the Lebanese Government filed certain preliminary objections contesting the jurisdiction of the Court.

In the period under review, the Court received communications from the parties, informing it that they had concluded arrangements for the settlement of the case. Consequently, on 31 August 1960, the President made an Order directing the removal of the case from the Court's list.

Case concerning the Barcelona Traction, Light and Power Company Ltd. (Belgium *v.* Spain)

This case was referred to the Court on 23 September 1958 by an Application of the Belgian Government instituting proceedings against the Government of Spain. It concerned proceedings in Spain resulting in the bankruptcy of the Barcelona Traction, Light and Power Company Limited. Those proceedings, in the view of the Belgian Government, constituted a denial of justice to Belgian shareholders in the company, which was registered in Canada but operated largely in Spain. The annual reports for the previous two years contain an account of the facts and the initial proceedings in the case. In the last report it is recorded that the Spanish Government had filed certain preliminary objections to the jurisdiction of the Court.

In the period under review, before the expiry of the time-limit fixed for the filing of the observations and submissions of the Belgian Government on the preliminary objections, the Agent for that Government informed the Court that Belgium was not going on with the proceedings. The Spanish Government, when informed of this notice of discontinuance, raised no objection, and, on 10 April 1961, the Court made an Order directing the removal of the case from the list.

Case concerning South West Africa (Ethiopia *v.* South Africa) *and* *Case concerning South West Africa* (Liberia *v.* South Africa)

On 4 November 1960, Applications were filed in the Registry of the Court on behalf of the Governments of Ethiopia and Liberia instituting separate proceedings before the Court against the Union of South Africa (as from 31 May 1961, the Republic of South Africa).

In both Applications, the subject of the dispute is stated to be the continued existence of the Mandate for South West Africa and the duties and performance of the Union, as Mandatory, thereunder. The Applications refer to Article 80, paragraph 1, of the Charter of the United Nations, and found the jurisdiction of the Court on article 7 of the Mandate for German South West Africa made at Geneva on 17 December 1920, and Article 37 of the Statute of the Court.

Both Applications, after reciting the circumstances in which a Mandate for the former German protectorate of South West Africa was conferred upon His Britannic Majesty to be exercised on his behalf by the Government of the Union of South Africa, set forth the duties which, it is contended, thereupon devolved upon the Mandatory. The Applicants allege that the Union, acting through official bodies created by it to administer the Territory, has violated, and continues to violate, article 2 of the Mandate and Article 22 of the Covenant of the League of Nations, by failing to promote to the utmost the material and moral well-being and social progress of the inhabitants; by distinguishing as to race, colour, national and tribal origin in establishing the rights and duties of the peoples of the Territory by the practice of *apartheid;* by legislation which is arbitrary, unreasonable, unjust, and detrimental to human dignity; by the suppression of rights and liberties of the inhabitants essential to their orderly evolution towards self-government.

The Applicants further allege that the Union has violated, and continues to violate, article 6 of the Mandate by its failure to render to the General Assembly of the United Nations annual reports with regard to the Territory, and article 2 of the Mandate and Article 22 of the Covenant by the exercise of powers of administration and legislation inconsistent with the international status of the Territory and in violation of its duty to exercise an international function of administration on behalf of the United Nations; that the Union has violated, and continues to violate, the League of Nations rules by refusing to transmit petitions to the General Assembly of the United Nations, and article 2 of the Mandate and Article 22 of the Covenant by preventing residents of the Territory from appearing before United Nations bodies. It is contended that the Union has thereby substantially modified the terms of the Mandate without the consent of the United Nations.

The Applications state that a dispute exists and has existed for more than ten years between the Applicants and the Union regarding the interpretation and application of the Mandate.

The Applications seek declarations by the Court in accordance with their allegations.

The Memorials of the applicant Governments have been filed and the time-limit for the Counter-Memorials has been fixed at 15 December 1961. By an Order of 20 May 1961, the Court, finding that the submissions of the two Applicants, as set out in the Applications and in the Memorials, are *mutatis mutandis* identical, has joined the proceedings instituted by the Applications of Ethiopia and Liberia and has found that these States are in the same interest. It has fixed a time-limit within which the Governments of Ethiopia and Liberia, acting in concert, may choose a single Judge *ad hoc.*

Case concerning the Northern Cameroons (Cameroun *v.* United Kingdom of Great Britain and Northern Ireland)

On 30 May 1961, the Government of the Republic of Cameroun filed in the Registry of the Court an Application instituting proceedings against the United Kingdom of Great Britain and Northern Ireland.

The Applicant founds the jurisdiction of the Court on article 19 of the Trusteeship Agreement for the Territory of the Cameroons under British administration, approved by the General Assembly of the United Nations on 13 December 1946.

The Application recites that the Territory of the Cameroons the administration of which had been entrusted to the United Kingdom under a mandate of the League of Nations was placed under international trusteeship by the Agreement approved by the United Nations in 1946.

Since then, the administration of the northern part of the Territory had tended simply to integrate it within the administrative system of the Northern Region of Nigeria and to separate the southern part of the Territory which, under the name of the Southern Cameroons, became a quasi-autonomous region of the Federation of Nigeria.

In its report to the Trusteeship Council in 1958, the United Nations Visiting Mission noted the immediacy of the question of the future of the populations of the Territory when those of the neighbouring territories of the Federation of Nigeria and of the Territory of the Cameroons under French administration should achieve independence in 1960. At its resumed thirteenth session in March 1959, the General Assembly had accepted the principle of separate plebiscites under United Nations supervision in the northern and southern parts of the Cameroons under British administration.

The Republic of Cameroun alleges that the Northern Cameroons under British administration was not administered as a separate territory within an administrative union, but as an integral part of Nigeria; that the objectives set forth in article 6 of the Trusteeship Agreement (the development of free political institutions, an increasing share for the inhabitants in the administrative services, their participation in advisory and legislative bodies and in the government of the Territory) were not attained; that the Trusteeship Agreement did not authorize the administering Power to administer the Territory as two separate parts, contrary to the rule of unity, in accordance with two administrative systems and with separate political evolutions; that the provisions of operative paragraph 7 of General Assembly resolution 1473 (XIV) of 12 December 1959, relating to the separation of the administration of the Northern Cameroons from that of Nigeria, were not followed, and that the measures provided for in operative paragraph 6 for further decentralization were not implemented; that the conditions laid down in operative paragraph 4 of the resolution for the drawing up of electoral lists were interpreted in a discriminatory manner; that the acts of the local authorities in the period preceding the plebiscite and during the election altered the normal course of that consultation and involved consequences in conflict with the Trusteeship Agreement.

The Applicant asks the Court to adjudge and declare that in the application of the Trusteeship Agreement of 13 December 1946 the United Kingdom has failed to respect certain obligations flowing therefrom.

(*c*) OTHER ACTIVITIES

A number of instruments registered or filed and recorded with the Secretary-General of the United Nations during the period under review contained provisions conferring upon the President of the Court the power to make certain appointments in eventualities provided for in the instruments. The power is usually that of appointing umpires or arbitrators to arbitration tribunals to be established in the event of disputes between the parties. Examples of such provisions may be found in the following instruments:

Agreement between the United Nations Educational, Scientific and Cultural Organization and France regarding the Headquarters of UNESCO and the privileges and immunities of the organization on French territory (signed at Paris on 2 July 1954);

Agreement between the United Kingdom of Great Britain and Northern Ireland and Yugoslavia concerning air services (signed at London on 3 February 1959);

Exchange of notes (signed at Washington on 7 December 1959) constituting an agreement supplementing the agreement (signed at Washington on 19 September 1957) between the United States of America and India relating to the guaranty of private investments;

Agreement between the United States of America and the Republic of Korea relating to the guaranty of private investments (signed at Seoul on 19 February 1960);

Agreement between the United States of America and Nepal relating to the guaranty of private investments (signed at Washington on 17 May 1960);

Reparations Agreement between Japan and the Republic of Viet-Nam (signed at Saigon on 13 May 1959);

Treaty between the United Kingdom of Great Britain and Northern Ireland, Greece, Turkey and Cyprus concerning the establishment of the Republic of Cyprus (signed at Nicosia on 16 August 1960);

Guarantee agreements and loan agreements concluded by various States with the International Bank for Reconstruction and Development;

Agreements concerning assistance concluded between various States and the United Nations Special Fund.

(*d*) COMPOSITION OF THE COURT AND OF THE CHAMBER OF SUMMARY PROCEDURE

On 16 November 1960, the General Assembly and the Security Council elected Sir Gerald Fitzmaurice to fill the vacancy which had been caused by the death of Judge Sir Hersch Lauterpacht.

On 16 and 17 November 1960, the General Assembly and the Security Council elected Mr. José Luis Bustamante y Rivero, Mr. Philip C. Jessup, Mr. Vladimir M. Koretsky, Mr. Gaetano Morelli and Mr. Kotaro Tanaka to fill the vacancies occurring on the expiration of the terms of office of President Klaestad, Vice-President Sir Muhammad Zafrulla Khan and Judges Hackworth, Armand-Ugón and Kojevnikov.

The President of the Court is Mr. Bohdan Winiarski; the Vice-President is Mr. Ricardo J. Alfaro. They were elected to these offices on 5 April 1961, for a three-year term.

On the same date the Court constituted its Chamber of Summary Procedure for the ensuing year. The following Members of the Court were elected to form the Chamber:

Members: President Winiarski, Vice-President Alfaro, Judges Badawi, Sir Percy Spender and Moreno Quintana

Substitute Members: Judges Wellington Koo and Córdova.

2. International Law Commission

(*a*) TWELFTH SESSION OF THE COMMISSION

The International Law Commission held its twelfth session at Geneva from 25 April to 1 July 1960. The following information supplements that given in last year's report on the initial phase of the session.

Most of the session was devoted to the subject of consular intercourse and immunities. The Special Rapporteur for this topic, Mr. Jaroslav Zourek, submitted his second report on the subject dealing with the personal inviolability of consuls and the most-favoured-nation clause as applied to consular intercourse and immunities. This report also contained thirteen additional articles on questions not covered in the first report. The Commission, after discussing the two reports and the sixty draft articles submitted by the Special Rapporteur, provisionally adopted sixty-five articles together with a commentary. In accordance with articles 16 to 21 of its Statute, the Commission decided to transmit the draft to Governments, through the Secretary-General, for their comments and to complete its work on this subject at its thirteenth session.

The Commission took up the topic of *ad hoc* diplomacy, adopting as a basis for discussion the report which the Special Rapporteur, Mr. A. E. F. Sandström, appointed in 1958, had been requested to prepare. Mr. Jiménez de Aréchaga, a member of the Commission, also submitted for consideration a set of proposals with an explanatory memorandum. Because of the time required in preparing the first draft on consular intercourse and immunities, the Commission was unable to give the topic the thorough study it would normally have done. As a preliminary survey it adopted three draft articles on special missions, with a commentary.

The Commission recommended the Assembly to refer the three articles to the Conference on Diplomatic Intercourse and Immunities to be held in Vienna in the spring of 1961.

The Commission held a discussion on the question of State responsibility, in the course of which it heard statements by observers from the Inter-American Juridical Committee and from the Harvard Law School. It decided to take up the subject of State responsibility at its next session after having completed its work on consular intercourse and immunities.

The Commission took note of resolution 1400 (XIV) of the General Assembly of 21 November 1959, concerning the question of codification of the principles and rules of international law relating to the right of asylum. It decided to defer further consideration of this question to a future session.

It also discussed General Assembly resolution 1453 (XIV) of 7 December 1959, on a study of the juridical régime of historic waters, including historic bays. It requested the Secretariat to undertake this study and to extend the scope of a preliminary study on historic bays prepared by the Secretariat in connexion with the first United Nations Conference on the Law of the Sea.

The Commission took note of the report by the Secretary of the Commission on the proceedings of the Fourth Meeting of the Inter-American Council of Jurists, which he attended as observer of the Commission.

(*b*) CONSIDERATION BY THE GENERAL ASSEMBLY OF THE REPORT OF THE COMMISSION ON THE WORK OF ITS TWELFTH SESSION

The report of the International Law Commission on the work of its twelfth session was considered by the Sixth Committee during the fifteenth session of the General Assembly. The main items discussed were consular intercourse and immunities and *ad hoc* diplomacy.

The General Assembly, in its resolution 1504 (XV) of 12 December 1960: (1) expressed appreciation of the work accomplished by the International Law Commission at its twelfth session and the hope that work on the topic "Consular intercourse and immunities" would be completed in time for consideration by the Sixth Committee at the sixteenth session of the General Assembly; (2) recommended that the draft resolution on special missions, contained in chapter III of the Commission's report on the work of its twelfth session, should be referred to the Conference of Plenipotentiaries, to be held in Vienna in the spring of 1961, so that they could be considered together with the draft articles on diplomatic intercourse and immunities adopted by the International Law Commission at its tenth session.

During the discussion of the report of the International Law Commission, several representatives raised the question of future work in the field of codification and progressive development of international law. In its resolution 1505 (XV) of 12 December 1960, the General Assembly: (1) deemed it necessary to reconsider the programme of the International Law Commission in the light of recent developments in international law and with due regard to the need for promoting friendly relations and co-operation among States; (2) decided to place a question entitled "Future work in the field of codification and progressive development of international law" on the provisional agenda of its sixteenth session; (3) invited Member States to submit in writing to the Secretary-General, before 1 July 1961, any views or suggestions they might have on this question for consideration by the General Assembly.

(*c*) PREPARATION FOR THE THIRTEENTH SESSION OF THE COMMISSION

Mr. Jaroslav Zourek, the Special Rapporteur on the question of consular intercourse and immunities, submitted a third report which contained a summary of comments received from nineteen Governments and proposals by the Special Rapporteur.

Mr. V. F. García Amador, Special Rapporteur on the question of State responsibility, submitted a sixth report dealing with State responsibility for injury caused in its territory to the person or property or aliens, and the question of reparation.

In accordance with the request of the Commission at its twelfth session, Mr. F. V. García Amador attended the fourth session of the Asian-African Legal Consultative Committee, held in Tokyo from 15 to 28 February 1961, in the capacity of observer, and submitted to the Commission a report on the proceedings.

(*d*) THIRTEENTH SESSION OF THE COMMISSION

The thirteenth session of the International Law Commission opened at Geneva on 1 May 1961. The agenda for the session included the following: filling of casual vacancies (article 11 of the Statute); consular intercourse and immunities; State responsibility; law of treaties; co-operation with other bodies; planning of future work of the Commission (General Assembly resolution 1505 (XV) of 12 December 1960).

The Commission elected the following officers: Mr. Grigory I. Tunkin, Chairman; Mr. Roberto Ago, First Vice-Chairman; Mr. Jiménez de Aréchaga, Second Vice-Chairman; Mr. Ahmed Matine-Daftary, Rapporteur.

On 2 May 1961, the Commission elected Mr. André Gros (France), Mr. Senjin Tsuruoka (Japan) and Sir Humphrey Waldock (United Kingdom) to fill the vacancies caused by the death of Mr. Georges Scelle, the resignation of Mr. Kisaburo Yokota and the election of Sir Gerald Fitzmaurice to the International Court of Justice.

The Commission then began the final consideration of its draft on consular intercourse and immunities.

3. United Nations Conference on Diplomatic Intercourse and Immunities

As mentioned in last year's report, the General Assembly, by resolution 1450 (XIV) of 7 December 1959, decided to convene an international conference of plenipotentiaries to consider the question of diplomatic intercourse and immunities and to embody the results of its work in an international convention, together with such other instruments as might be necessary. The General Assembly, accepting an invitation extended by the Federal Government of Austria, also asked the Secretary-General to convoke the conference at Vienna not later than the spring of 1961.

The United Nations Conference on Diplomatic Intercourse and Immunities met at the Neue Hofburg in Vienna from 2 March to 14 April 1961. Eighty-one States in all were represented: seventy-five Members of the United Nations and six non-member States which are members of specialized agencies or parties to the Statute of the International Court of Justice.

The General Assembly, by resolution 1450 (XIV), referred to the Conference chapter III of the report of the International Law Commission covering the work of its tenth session, as the basis for its consideration of the question of diplomatic intercourse and immunities. By its resolution 1504 (XV) of 12 December 1960, the General Assembly also referred to the Conference the draft articles on special missions contained in chapter III of the report of the International Law Commission covering the work of its twelfth session.

The draft articles prepared by the International Law Commission on diplomatic intercourse and immunities were referred by the Conference to a Committee of the Whole, which considered them article by article. Its decisions, which were taken by a majority of the members present and voting, were referred to the Drafting Committee, which was entrusted with the task of preparing, on the basis of those decisions, the text of a draft convention to be submitted for consideration by the Conference in plenary. The Conference, taking its decisions on substance by a two-thirds majority of the representatives present and voting, considered the text prepared by the Drafting Committee and adopted a convention which was given the title of "The Vienna Convention on Diplomatic Relations".

The Conference also adopted two optional protocols, one dealing with the immunity of the members of a diplomatic mission and their families from the nationality legislation of the receiving State, and the other concerning the settlement of disputes arising from the interpretation or application of the Convention and of the protocol on nationality.

The draft articles on special missions prepared by the International Law Commission were also referred by the Conference to the Committee of the Whole which, in turn, referred them to a Sub-Committee on Special Missions. The Sub-Committee recommended that, in view of the statement by the Commission that it had not been able to undertake a thorough study of the matter and in view of the limited time available to the Conference to study the subject in full, the Conference recommend to the General Assembly that the question of special missions be referred back to the International Law Commission for further study. This proposal was accepted by the Committee of the Whole and later also by the plenary Conference.

The Conference also adopted a resolution recommending that the sending State should waive the immunity of members of its diplomatic mission in respect of civil claims of persons in the receiving State when this could be done without impeding the performance of the functions of the mission.

Finally the Conference adopted a resolution paying a tribute to the International Law Commission for its outstanding contribution to the codification and development of the rules of international law on diplomatic intercourse and immunities, and a resolution expressing gratitude to the Government and people of Austria for their generous hospitality and great contribution to the successful completion of its work.

The Final Act of the Conference was signed on 18 April 1961. The Convention and optional protocols adopted by the Conference remain open for signature until 31 October 1961 at the Federal Ministry for Foreign Affairs of Austria and subsequently, until 31 March 1962, at the United Nations Headquarters in New York, by all States Members of the United Nations or of any of the specialized agencies or parties to the Statute of the International Court of Justice, and by any other State invited by the General Assembly of the United Nations to become a party to the Convention. Thereafter they are open to accession by all such States.

By 15 June 1961, the Final Act, the Convention and the two optional protocols had received the following numbers of signatures:

Final Act: 75

Vienna Convention on Diplomatic Relations: 38

Optional Protocol concerning Acquisition of Nationality: 9

Optional Protocol concerning the Compulsory Settlement of Disputes: 16

The Convention and the optional protocols are subject to ratification. Twenty-two ratifications or accessions are required for the entry into force of the Convention. The optional protocols will enter into force when ratified or acceded to by two States, provided that the Convention has already entered into force.

4. Elimination or reduction of future statelessness

By a circular letter dated 28 February 1961, the Secretary-General informed the States which took part in the United Nations Conference on the Elimination or Reduction of Future Statelessness that the Conference, which met in Geneva in 1959 and adjourned without adopting a convention, would be reconvened at United Nations Headquarters in New York from 15 August to 1 September 1961.

The circular letter noted, *inter alia,* that the main difficulty encountered by the Conference during its previous deliberations was in formulating provisions relating to deprivation of nationality. With a view to facilitating a solution of this problem, Governments of participating States were consequently asked to indicate to the Secretary-General, before 1 June 1961, the grounds for deprivation of nationality which they would deem essential to retain.

5. Question of the publication of a United Nations juridical yearbook

In accordance with resolution 1451 (XIV) of 7 December 1959, whereby the General Assembly decided that a juridical yearbook which would include documentary materials of a legal character relating to the United Nations should be published, the Secretary-General submitted to the Assembly, at its fifteenth session, a report containing a detailed outline of United Nations documentary materials of a legal character published in 1959.

The question was considered by the Sixth Committee, but during the discussion a difference of views developed as to the form and contents of the yearbook and no agreement could be reached on those points. Consequently, the General Assembly, by its resolution 1506 (XV) of 12 December 1960, decided to place the question of the publication of a United Nations juridical yearbook on the provisional agenda of its seventeenth session. Member States were invited to submit to the Secretary-General written comments or observations on the form and contents of the proposed yearbook not later than 1 June 1962.

6. Treaties and multilateral conventions

(a) REGISTRATION AND PUBLICATION OF TREATIES AND INTERNATIONAL AGREEMENTS

A total of 720 treaties and international agreements were registered with the Secretariat during the year ended 15 June 1961: 574 by thirty-eight Governments, 72 by six specialized agencies, and 74 *ex officio*. A total of 21 treaties and agreements were filed and recorded: 12 by the Secretariat and 9 at the request of two specialized agencies and an international organization. This brought up to 8,520 the total of treaties and agreements registered or filed and recorded from 14 December 1946 to 15 June 1961. In addition, during the year ended 15 June 1961, 492 certified statements were registered, bringing up to 2,367 the total of certified statements registered or filed and recorded as at 15 June 1961.

During the period covered by the present report, the Secretariat has published thirty-two volumes of the *Treaty Series* (up to vol. 354, and vols. 364, 365 and 370). In addition, the Secretariat has published *Cumulative Index No. 3* to volumes 201 to 300 of the *Treaty Series*.

Further, twenty-five volumes of the *Series* (up to volume 382), covering the material registered or filed and recorded up to the end of 1960, are in various stages of printing process and are expected to appear by the end of 1961.

(*b*) NEW CONVENTIONS CONCLUDED UNDER THE AUSPICES OF THE UNITED NATIONS

The following instruments of which the Secretary-General is the depositary have been drawn up under the auspices of the United Nations since the publication of the last report:

European Convention on Customs Treatment of Pallets used in International Transport, done at Geneva on 9 December 1960;

Single Convention on Narcotic Drugs, 1961, done at New York on 30 March 1961;

Vienna Convention on Diplomatic Relations, done at Vienna on 18 April 1961;

Optional Protocol concerning the Compulsory Settlement of Disputes, done at Vienna on 18 April 1961;

Optional Protocol concerning Acquisition of Nationality, done at Vienna on 18 April 1961;

European Convention on International Commercial Arbitration, done at Geneva on 21 April 1961.

(*c*) STATUS OF SIGNATURES, RATIFICATIONS AND ACCESSIONS: ENTRY INTO FORCE

The number of international agreements for which the Secretary-General exercises depositary functions has risen to 157.

During the period covered by the present report, a total of 135 signatures have been affixed to those agreements, and 217 instruments of ratification, accession or notification have been transmitted to the Secretary-General. Of those agreements, 109 have entered into force, the following two of them since 16 June 1960:

European Agreement on Road Markings, done at Geneva on 13 December 1957 (entered into force on 10 August 1960);

Customs Convention concerning Spare Parts used for repairing EUROP Wagons, done at Geneva on 15 January 1958 (entered into force on 1 January 1961).

(*d*) REVISED GENERAL ACT FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

The following lists, corresponding to the three forms of accession provided in article 38 of the Revised General Act for the Pacific Settlement of International Disputes, approved by the General Assembly on 28 April 1949, are published in accordance with the provisions of paragraph 3 of article 43 of this Act:

ACCESSIONS

A. *All the provisions of the Act (chapters I, II, III and IV)*

Belgium	23 December 1949
Norway	16 July 1951
Denmark	25 March 1952

B. *Provisions relating to conciliation and judicial settlement (chapters I and II), together with the general provisions dealing with these procedures (chapter IV)*

Sweden	22 June 1950

With the reservations provided in article 39, paragraph 2 (*a*), with the effect of excluding from the procedure described in the present Act disputes arising out of facts prior to the accession.

C. *Provisions relating to conciliation (chapter I) and the general provisions concerning that procedure (chapter IV)*

None.

7. Privileges and immunities

(*a*) CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE UNITED NATIONS

During the year ended 15 June 1961, only one more State, Bulgaria, has acceded to the Convention on the Privileges and Immunities of the United Nations. Its instrument of accession contains a reservation declaring that Bulgaria does not consider itself bound by the provisions of section 30 of the Convention which provides for the referral to the International Court of Justice of all differences arising out of the interpretation or application of the Convention, unless the parties agree to have recourse to another mode of settlement. The reservation also applies to the provision of the same section that the advisory opinion given by the Court shall be accepted as decisive.

In connexion with the Convention, special note may be taken of the withdrawal, on the part of New Zealand, of the sole reservation it had previously made, in 1947, upon accession to the Convention. The Government's notice of withdrawal of reservation was received by the Secretary-General on 25 November 1960. The reservation had related to section 18 (*b*) of the Convention and had provided that "exemption from rates imposed by any law in New Zealand or taxation imposed on salaries and emoluments, by any law in New Zealand, shall not extend to a person who is domiciled and employed in New Zealand".

(*b*) CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES

The number of States parties to the Convention on the Privileges and Immunities of the Specialized Agencies has increased to thirty-two, Togo, Laos and New Zealand having deposited their instruments of accession to the Convention during the year under review. Moreover, three States already parties to the Convention have, by notification, extended the application of the Convention to additional specialized agencies.

(*c*) SPECIAL AGREEMENTS RELATING TO PRIVILEGES AND IMMUNITIES

During the year under review, a number of agreements have been concluded between the United Nations and certain Governments that contain provisions relating to the privileges and immunities of the United Nations. Only a few which are of special significance in the development of the privileges and immunities of the Organization are mentioned here.

In connexion with United Nations operations in the Republic of the Congo (Leopoldville), a "basic agreement" was concluded with the Congolese Government on 27 July 1960. This agreement, *inter alia,* contains an undertaking by the Government in these terms:

> "The Government of the Republic of the Congo states that, in the exercise of its sovereign rights with respect to any question concerning the presence and functioning of the United Nations Force in the Congo, it will be guided, in good faith, by the fact that it has requested military assistance from the United Nations and by its acceptance of the resolutions of the Security Council of 14 and 22 July 1960; it likewise states that it will ensure the freedom of movement of the Force in the interior of the country and will accord the requisite privileges and immunities to all personnel associated with the activities of the Force."

These provisions, according to the agreement, "shall likewise be applicable, as appropriate, to the non-military aspects of the United Nations Operation in the Congo".

At the time of the conclusion of this basic agreement, it had been understood that it would be followed by another agreement which would define in greater detail the status of United Nations operations in the Congo. Accordingly, a draft of such an agreement, patterned largely after the agreement of 8 February 1957 between the United Nations and Egypt concerning the status of the United Nations Emergency Force, had been drawn up and presented to the Government of the Republic of the Congo to serve as a basis of negotiations, which, at the end of the period under review, were still in progress.

For the purpose of making arrangements for the Conference on Diplomatic Intercourse and Immunities, held at Vienna from 2 March to 14 April 1961 under the auspices of the United Nations, an agreement was concluded with the Federal Government of Austria. In respect of privileges and immunities for the Conference, the agreement provided, in brief, as follows: (1) The Convention on the Privileges and Immunities of the United Nations, to which the Republic of Austria is a party, should be applicable with respect to the Conference. (2) In addition, representatives attending the Conference and those officials of the United Nations connected with the Conference would be accorded the same privileges and immunities as representatives to, and officials of comparable rank of, the International Atomic Energy Agency, under the headquarters Agreement between the Republic of Austria and IAEA. (3) Representatives of States non-members of the United Nations would enjoy the same privileges and immunities as representatives of States Members. (4) Observers of specialized agencies and other intergovernmental organizations invited to the Conference would enjoy the same privileges and immunities as officials of comparable rank of the United Nations. (5) The Conference area was deemed to constitute United Nations premises, and access thereto was to be under the control and authority of the United Nations. (6) Austrian authorities would impose no impediment to transit to and from the Conference of all persons attending the Conference, including representatives of the press and other information agencies, as well as other persons invited to the Conference; any visa required was to be granted promptly and without charge.

In connexion with the construction of the United Nations building at Santiago, Chile, an agreement was concluded with the Government of Chile, in the form of an exchange of letters dated 6 July and 5 August 1960. This agreement, *inter alia*, reaffirms that the Convention on the Privileges and Immunities of the United Nations, to which Chile was already a party, would be applicable to the construction and work to be carried out on the site. This would be without prejudice to exemption from taxation provided by law. The agreement also provides that the Government shall take all necessary measures to ensure that the use which may be made of the land in the vicinity of the site does not prejudice either the beauty or the adequate condition of the site, or obstruct the purposes for which the site is intended.

Reference may finally be made to an agreement, concluded with the Government of Japan on 15 March 1961, concerning the establishment in Japan of "The Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders". In this agreement, Japan, while not yet a party to the Convention on the Privileges and Immunities of the United Nations, agreed that "officials and experts of the Organization appointed to serve on the Institute shall be accorded privileges and immunities provided under articles V, VI and VII of the said Convention".

(*d*) LEGISLATION

In his annual report to the General Assembly at its tenth session, the Secretary-General referred to a law of the State of New York, effective 27 April 1955, the main purport of which was, under certain conditions, to exempt from taxation the real property of delegations of Member States situated within a radius of twelve miles of the United Nations Headquarters district. The exemption would apply if such property was used exclusively for the purposes of maintaining offices or quarters for principal resident representatives or resident representatives with the rank of ambassador or minister plenipotentiary, or for offices for their staff. The legal title to the property might stand in the name either of the Government of the Member State or of such representative. If only a portion of the property was used exclusively for the purposes stated, then the exemption also applied only proportionately. The exemption did not cover assessments for improvements from which benefits were derived, nor was it available until any arrears in assessment against the property, or in taxes due on any portion of the property not used for the described tax-exempt purposes, were fully paid up.

As stated above, the exemption was, however, applicable only to real property situated within a radius of twelve miles of the United Nations Headquarters district. This radius was subsequently extended, by an amendment to the law which went into effect on 15 April 1957, so that tax exemption was granted to real property of delegations situated within fifteen, instead of twelve, miles of the United Nations Headquarters.

On 18 April 1961, the Governor of the State of New York signed a bill passed by the Legislature of the State of New York, further amending the law referred to above, by deleting therefrom the limitation on the area in which the exemption from tax on real property of delegations was applicable. As a result of this latest enactment, the exemption provision is now applicable on a State-wide basis, so that all real property of delegations of Member States situated anywhere within the State of New York and fulfilling the conditions prescribed would enjoy exemption from taxation.

8. Rules of procedure of United Nations organs

REVIEW OF THE METHODS AND PROCEDURES OF THE GENERAL ASSEMBLY

In the course of the fifteenth session of the General Assembly, Bolivia, Costa Rica and the United Kingdom of Great Britain and Northern Ireland proposed the inclusion in the agenda of an item entitled "Review of the methods and procedures of the General Assembly". In their explanatory memorandum, the three delegations referred, in particular, to the fact that the membership of the United Nations had become much larger since the last comprehensive review of the methods and procedures of the Assembly had been undertaken in 1944 and pointed to the progressively increasing length of Assembly sessions which, they felt, might make it difficult for Governments in the future to maintain full delegations at all meetings. They expressed the belief that urgent steps should be taken with a view to initiating a thorough study of the methods and procedures of the General Assembly and of ways for expediting its work, including the use of mechanical and technical processes for voting.

On 14 December 1960, the General Committee discussed the question of the inclusion of the item in the agenda of the session and adjourned the debate until the beginning of the resumed fifteenth session. At the next meeting of the General Committee, on 22 March 1961, the sponsoring delegations withdrew their proposal for inclusion of the item, because of the existing general desire not to prolong the session, and the fact that the Legal Committee of the Assembly was not meeting.

9. United Nations Administrative Tribunal

ACTIVITIES OF THE TRIBUNAL

The Administrative Tribunal met in New York from 31 October to 10 November 1960 to resume consideration of a case which had been adjourned on 4 December 1959 for the reasons indicated in the previous annual report.

It will be recalled that the case concerned a former staff member who had served at United Nations Headquarters in the capacity of a bilingual secretary. The Tribunal had before it an application drawn up and submitted by the counsel designated by it in 1959 to assist the applicant. The application was directed against the decision by which the Secretary-General had terminated in 1955 the permanent appointment of the applicant for unsatisfactory services. It requested the rescission of the decision on the grounds that the Secretary-General had been aware at the time of the termination that the applicant was suffering from a disabling disease and that he should have therefore based any action taken with respect to her employment on reasons of health and not on the quality of her services.

The Tribunal had also before it a communication from the respondent to the effect that, as a result of the Secretary-General's submission of the case in December 1959 to the Joint Staff Pension Fund, the Fund had granted disability benefits to the applicant.

Before considering the substance of the case, the Tribunal pronounced, at the respondent's request, on the receivability of the application. The Tribunal noted that, because of the nature of the medical evidence in the case, counsel had refrained from showing the application to the applicant, although the latter had accepted counsel's appointment subject to the condition that no document should be submitted unknown to her. The Tribunal observed, however, that the applicant had not requested it to relieve counsel of his functions and found that, in view of the broad powers granted to it to request from the parties any documents and information necessary for the consideration of a case, the assistance given by the designated counsel was entirely in accord with the Statute and Rules and that the application submitted by him was receivable.

As regards the substance of the case, the Tribunal reviewed the evidence submitted to it and found that there was nothing to show that the medical condition alleged by the applicant was known to the respondent at the time of the termination. The Tribunal observed, furthermore, that the decision to refer the case to the Joint Staff Pension Fund was taken *suo moto* by the Secretary-General in 1959 as a humanitarian gesture and could not be interpreted as a reversal of the grounds indicated in 1955 for the termination of the applicant's appointment. The Tribunal therefore rejected the application (Judgement No. 81).

On 7 November 1960, the Tribunal held a plenary session in the course of which it considered various matters affecting its operation and elected the following officers for 1961: Madame Paul Bastid, President; The Right Honourable Lord Crook, First Vice-President; Mr. Sture Petrén, Second Vice-President.

10. The status of permanent sovereignty of peoples and nations over their natural wealth and resources

The Commission on Permanent Sovereignty over Natural Resources, established by General Assembly resolution 1314 (XIII) and composed of Afghanistan, Chile, Guatemala, the Netherlands, the Philippines, Sweden, the Union of Soviet Socialist Republics, the United Arab Republic and the United States of America, held its third session from 3 to 25 May 1961. The main items considered by the Commission were the revised Secretariat study on the status of permanent sovereignty of peoples and nations over their natural wealth and resources and the recommendations of the Commission for the strengthening of that sovereign right.

The revision of the Secretariat study was undertaken in accordance with a resolution adopted by the Commission at its second session. Sixteen Governments responded to the renewed request of the Secretariat for additional information, which brought the number of Governments that had supplied information for inclusion in the study up to forty-one.

The revised study consisted of five chapters dealing with: (1) national measures affecting the ownership or use of natural resources by foreign nationals or enterprises; (2) international agreements affecting the foreign exploitation of natural resources; (3) international adjudication and studies under the auspices of intergovernmental bodies relating to responsibility of States in regard to the property and contract of aliens; (4) status of permanent sovereignty over natural wealth and resources in newly-independent States and in Non-Self-Governing Territories and Territories under Trusteeship; and (5) economic data pertaining to the status of sovereignty over natural wealth and resources in various countries. In line with the wishes expressed by some members of the Commission at its second session, the revised study included more factual information on sovereignty over natural resources in the less developed countries and in the Trust and Non-Self-Governing Territories.

Most members of the Commission regarded the study as a valuable document and some felt that it could be the basis for recommendations to the Economic and Social Council. Some members considered that information on certain matters was not sufficient and that the study did not reflect the real situation regarding exploitation by foreign nationals and companies of natural wealth and resources in dependent territories and in less developed countries.

After considering three draft resolutions submitted by the USSR, Chile and the United Arab Republic, respectively, and a number of amendments to the first two drafts, the Commission adopted three resolutions.

The first, based on the Chilean draft resolution, requested the Economic and Social Council to recommend to the General Assembly the adoption of a draft resolution declaring, *inter alia*: that the exploration, development and disposition of natural resources, as well as the import of foreign capital required for those purposes, should be in conformity with the rules and conditions freely prescribed by the peoples and nations themselves; that once such activities were authorized, the capital imported and the earnings on that capital should be governed by the terms of the authorization, by the national legislation in force and by international law; and that the profits derived must be shared in the proportions freely agreed upon between the investors and the recipient State without impairing that State's sovereignty over its natural wealth and resources. It also stated that nationalization, expropriation or requisitioning should be based on national security or interest, that the owner should be paid appropriate compensation in accordance with the rules in force in the State taking such measures and in accordance with international law, and that disputes arising out of the question of compensation should be referred to national courts or might, upon agreement by the parties concerned, be settled through arbitration or international adjudication. The General Assembly was also to request the International Law Commission to speed up its work on the codification of the topic of responsibility of States for the consideration of the General Assembly. Furthermore, the Commission requested the Council to arrange for the publication of the revised Secretariat study, together with the Commission's report.

The second resolution, which was based on the proposal of the USSR, provided for the transmission of the revised study to the Economic and Social Council, together with the observations made by the members of the Commission.

The third resolution, based on the proposal of the United Arab Republic, recommended that the United Nations work on permanent sovereignty over natural wealth and resources be continued on a permanent basis.

11. Arbitration of disputes of a private law character in international trade

In accordance with resolution 708 (XXVII) adopted by the Economic and Social Council on 17 April 1959, the Secretariat has continued to be engaged in the promotion, in co-operation with Governments and organizations interested in arbitration, of the more effective use of arbitration in disputes of a private law character in international trade. Pursuant to that resolution, the Secretariat had communicated with organizations interested in arbitration and invited suggestions designed to further arbitration in disputes of this nature. The suggestions received in response to this request have been referred to in the last annual report and have been examined and kept in view by the Secretariat. They included among others the following: educational and training programmes in arbitration; establishment of basic standards of modern arbitration laws as models for domestic legislation; creation of new national arbitral bodies and regional arbitration centres; and the development of panels of arbitrators.

The Secretariat has also had, in connexion with the activities of the Economic Commission for Asia and the Far East in the arbitration field, consultations with several persons and bodies expert in arbitration in the ECAFE region who had been designated for the purpose of these consultations by the Governments of the region. In the course of the consultations, inquiries were made by the Secretariat as to the attitude and practice of Governments, governmental agencies and business communities in the region in regard to arbitration; the difficulties that may have been encountered in negotiating arbitration clauses, in particular in connexion with such matters as the determination of the place of arbitration, the applicable law and procedural rules, and the appointment of arbitrators; and the existence and extent of arbitration facilities in the region. Suggestions were invited on measures that might facilitate recourse to arbitration and views were also requested on the desirability of establishing an arbitration centre in the ECAFE region. As of the end of 1960, replies and views had been received from experts and expert bodies in fourteen countries of the region.

In the light of the data collected, a report was submitted by the Secretariat to the fourth session of the Committee on Trade of ECAFE which met in Bangkok in January 1961. The report suggested that the Committee on Trade might consider it appropriate at this stage to convene a working party on arbitration which might include representatives of member Governments and of national and international organizations interested in arbitration, and non-official experts. This, it was felt, would result in realistic and practical solutions for the problems affecting arbitration in the region. Also submitted to the Committee on Trade was a set of draft model rules of arbitral procedure that had been prepared by the Secretariat in response to references made from time to time in the discussions of the Committee to the desirability of having model rules of arbitral procedure. The rules were prepared by the Secretariat in the hope that they might form the basis for the formulation at a later date of such model rules. The rules include a section on an arbitration centre and define, in particular, the functions which such a centre might exercise in regard to the appointment of arbitrators. The Committee on Trade has decided that a working party should be convened in Bangkok early in 1962. The working party's agenda will include such matters as the preparation of standard arbitration clauses; educational programmes; the establishment of panels of arbitrators; the establishment of a regional centre for arbitration; consideration of the main problems requiring legislative action in the countries of the region; and the draft model rules of arbitral procedure prepared by the Secretariat. The Secretariat is in close touch with ECAFE in regard to preparations to be made for the working party.

Chapter VI

ADMINISTRATIVE AND BUDGETARY QUESTIONS

1. Conference and documents services

(*a*) The conference programme

During the period under review, the emergency situation in the Congo involved a considerable increase in the work of the Security Council and the General Assembly. Whereas the former had held only 19 meetings during the twelve months covered by the previous report, 86 meetings were held during the next twelve months, 57 of them between 16 June 1960 and 31 December 1960.

The fifteenth session of the General Assembly was resumed for seven weeks in March 1961. The number of meetings of the two parts of the session totalled 739, or nearly 60 more than the number of meetings of the third regular session which was of comparable duration and the heaviest hitherto.

Apart from the normal programme, two special unscheduled conferences are being held at the European Office for which the Secretary-General is providing both facilities and servicing staff. These are the Conference on the Discontinuance of Nuclear Weapons Tests which began on 21 March and the Conference on Laos which convened on 16 May.

(*b*) Documents services

During the year, Editorial Control, under the policy guidance of the Chief Editor, continued to discharge its functions. However, because of the demands for mission service and the resumed fifteenth session of the General Assembly, it was not possible to conduct the drafting seminars which Editorial Control had held in previous years.

In the course of 1960, there was a further increase in the number of publications and analogous items produced internally to reduce the cost of contractual printing notwithstanding the far greater output of documentation to service meetings. The total cost of the publications, if printed externally, would have been $334,671 (as compared with $260,095 in 1959). The progress in internal reproduction was assisted by the use of newly developed facilities in the United Nations European Office as well as by mechanization, a better correlation of the different technical processes, on-the-job training and purchase of up-to-date and speedier equipment through the replacement programme. Nevertheless, the demands created by the resumed meetings of the fifteenth session of the General Assembly, as well as the need to issue the papers submitted for the United Nations Conference on New Sources of Energy, to be held in Rome in August 1961, greatly taxed the capacity of the reproduction services.

The increased use of internal processes in place of external printing correspondingly reduced the total value of the contracts to be placed externally. Approximately 64 per cent of all such contracts were placed outside the Headquarters area, as compared with about 60 per cent in 1959.

The arrangements for distributing official documentation to the delegations of Member States were further improved and simplified, a step made necessary by the increased membership of the Organization.

The Publishing Service took over in February 1960 the functions of the Sales and Circulation Section of the Office of Public Information. In carrying out these responsibilities, the Service is guided by the directives of the Publications Board. Attention has been given in particular to increasing the sales network in order to ensure that everyone wishing to buy United Nations publications should be able to do so without difficulty or delay.

(*c*) Library services

All essential library services continued to be available at Headquarters despite the inconvenience resulting from their temporary dispersal through the Secretariat and Conference areas, pending the completion of the new Library building (see section 6 below), and frequent use continued to be made of the various services.

As in 1959, the number of reference queries answered and the number of items lent for use outside of the reading rooms both exceeded 100,000. Similarly, the volume of new material of all kinds acquired, catalogued and indexed totalled well over a quarter million pieces.

In spite of the increased demand for indexing and bibliographical services, coupled with the heavy flow of documents and with staff shortages, the Index Section continued the publication of its established series such as the *United Nations Documents Index*, the *Treaty Series Index* and the *Index to Proceedings*.

2. General services

During the period under review, much of the activity of the Office of General Services was directed to meeting the unexpected demands for administrative and technical services for the United Nations operations in the Congo as well as the special requirements of the fifteenth session of the General Assembly. Although priority was given to this work, the Services were also concerned with the continuing responsibilities of the Office regarding the construction of the new Library building, the expansion of conference and meeting facilities and the administrative servicing of overseas offices.

(*a*) FIELD OPERATIONS SERVICE

The co-ordination of administrative and logistical services for ONUC constituted a major activity of the Field Operations Service. While the experience gained with the organization and servicing of UNEF provided a sound guide for the ONUC operation, procedures and administrative techniques were modified to meet the special conditions in the Congo. The overseas Field Service staff was increased by eighty-five men, and large numbers of experienced Field Service officers were transferred from other missions to form a major part of the initial ONUC establishment. At the same time, substantial amounts of equipment and other supplies were directed from established offices and missions to meet urgent requirements which could not await establishment of normal logistical supply lines.

In addition to these emergency demands, the Field Operations Service continued to maintain normal administrative services for missions of conciliation, mediation and observation. Exclusive of the troops serving with UNEF and ONUC, the personnel of political and trusteeship missions increased during the period under review from 537 to 1,354, of which 10 were representatives of Member States, 162 were military observers and the balance were members of the Secretariat.

The continuing development of technical assistance and fellowship programmes and the opening of new information centres has also meant an increase in the needs for administrative servicing, which is, however, being met with only modest additions in staff.

Some progress has been achieved in the efforts towards consolidation in common premises of offices of the United Nations and other international organizations in various cities throughout the world. This has been so notably in Santiago, Chile, where the new United Nations building is under construction, Addis Ababa, where the Ethiopian Government has provided facilities for the Economic Commission for Africa in a new building, and in New Delhi, where the Government of India has indicated its willingness to provide land and construct a building to house the United Nations and other international organizations. In several cities the host Governments have provided facilities for new information centres, and negotiations are actively being pursued, in close co-operation with the specialized agencies, to enlist similar assistance in other cities where the centralization of United Nations activities is desirable.

(*b*) PURCHASE AND TRANSPORTATION SERVICE

Since July 1960, logistical support for the ONUC forces has meant a fourfold increase to some $20 million in the dollar volume of procurement. Purchases have included food and medical supplies, vehicles, radio equipment, clothing and related quartermaster items. The Service has also arranged for the chartering of a fleet of approximately twenty-five aircraft, which has provided internal communications and supply services in the Congo as well as emergency freight deliveries from external points.

Export freight shipments during this period have amounted to over 31 million pounds, exclusive of hundreds of tons of food provided for relief purposes from various governmental sources. In addition, there have been exceptionally heavy demands for the transport of personnel. These emergency requirements have necessitated the closest co-operation with airlines, ocean freight carriers and shipping organizations throughout the world.

(c) COMMUNICATIONS AND RECORDS SERVICE

The establishment of ONUC has involved increases in cable editing and the use of teletype and diplomatic pouch facilities. Since July 1960 the radio-teletype network has been operating on a twenty-four-hour-per-day schedule, and, as a further assurance of adequate communications, a direct radio-teletype link has been established between New York and ONUC headquarters in Leopoldville. During the year, the volume of cable traffic has more than doubled, and there has been a corresponding increase in other communications services, particularly diplomatic pouches.

The priority accorded ONUC as well as the necessity of detailing a large number of experienced staff overseas has resulted in deferment of some records management projects; however, it has still been possible to continue a large part of the programme of retirement of inactive field office records. In addition, substantial progress has been made in the microfilming of certain types of non-current records with a resulting saving in storage space and equipment.

The unusual requirements of the fifteenth session of the General Assembly occasioned special arrangements by the telecommunications staff for meeting coverage. In order to accommodate the large number of correspondents unable to attend certain meetings owing to lack of space, a closed circuit television facility was installed with large screen projection equipment, and television monitors were set up in appropriate locations throughout the conference area. During the year the telecommunications engineers also designed and constructed on a reimbursable basis simultaneous interpretation equipment for use by ICAO at its headquarters in Montreal.

(d) BUILDINGS MANAGEMENT SERVICE

The fifteenth session of the General Assembly, attended by many Heads of States and large numbers of delegates, press and public, made it necessary to augment substantially the security force and to establish special credentials and identification procedures. With the co-operation of delegations and the local authorities, measures to assure adequate protection of persons and property were implemented without interrupting the schedule of meetings.

Engineering staff of the Service have continued to work closely with the architectural and engineering consultants concerning the study of modifications in conference and other facilities necessary to provide at Headquarters for the needs of the increased number of delegates. In the meantime, work has been undertaken to provide further temporary seating arrangements in certain conference and committee rooms. The Service has also continued to provide technical supervision of the construction of the new Library building.

(*e*) COMMERCIAL MANAGEMENT SERVICE

The catering facilities also were severely taxed by the unusual requirements of the fifteenth session of the

General Assembly. Although the dining-room, cafeteria and lounges were frequently overcrowded, the standards of service and quality were maintained, and while no changes in basic prices were effected, the volume of operations exceeded $2.3 million.

Sales in the Gift Centre and Souvenir Shop, a substantial portion of which involve handicraft and similar articles from many Member nations, exceeded $1 million.

The United Nations Postal Administration issued five commemorative stamps during the year as well as a special souvenir sheet commemorating the fifteenth anniversary of the United Nations. The increasing interest in these stamps was reflected in the gross sales of over $1.6 million. The importance of the wide-spread distribution of United Nations stamps is not, however, limited to revenue but also serves as a significant means of disseminating information on the work of the Organization. The current expansion of the promotional activities of the Postal Administration, particularly overseas, is being designed to meet both objectives.

3. Staff administration

With the crisis in the Congo, the Secretariat had to face the most exacting test in its history. A considerable proportion of the staff had to be assigned to ONUC at very short notice, initially almost entirely from the United Nations, and subsequently also from the specialized agencies and UNICEF. The staffing requirements of ONUC were partly met by temporary recruitment from other sources. Through deployment of staff and continuous efforts on the part of all officials concerned, the problems created by this emergency were largely overcome, while at the same time the Secretariat coped with the workload which was particularly heavy during the period of the resumed fifteenth session of the General Assembly. Additional staff had to be spared from their regular duties to serve with the Commissioners entrusted with the supervision of plebiscites in the Cameroons under British administration and in Western Samoa, and with the Commission for Ruanda-Urundi. As previously, the staffing of UNEF in Gaza, and of the missions in Palestine, Korea, and in India and Pakistan was carried out by detail and rotation of personnel.

Throughout the year, efforts were pursued to improve the geographical distribution of professional staff through recruitment of nationals of the new Member States and of those States which are particularly short of the desired levels of representation in the Secretariat. Progress continued to be made in this direction in spite of obstacles mentioned in former years which have not altogether disappeared. During the twelve-month period, further steps were also taken which resulted in raising the proportion of fixed-term appointments.

There was a considerable increase in the requests for experts made under the various technical assistance programmes of the United Nations. From 1 June 1960 to 31 May 1961, 468 experts were appointed and assigned to seventy-three countries. In addition, 53 experts were appointed specifically for the Congo. Included in that total were 14 individuals appointed under the OPEX and 7 individuals appointed to serve as special consultants to the United Nations Special Fund.

A study of the base salary scales of the professional and higher categories, undertaken at the request of the ACC, was completed and reviewed by the International Civil Service Advisory Board (ICSAB), which met for that purpose in May 1960. The Board's report, recommending increases in the salaries, will be submitted to the sixteenth session of the General Assembly, as will the relevant observations of the Secretary-General in agreement with the executive heads of the specialized agencies. The Expert Committee on Post Adjustments also met during the year and reviewed certain aspects of the post adjustment system.

The experts appointed by the Secretary-General in accordance with the terms of resolution 1446 (XIV) concluded their work and will submit their report to the sixteenth session of the General Assembly (see section 4 below).

The comprehensive review of the United Nations Joint Staff Pension Fund, which was undertaken pursuant to General Assembly resolution 1310 (XIII) of 10 December 1958 with the assistance of an expert group of outside consultants, was completed in July 1960. The new system recommended by the group was, with one or two small amendments, adopted by the General Assembly at its fifteenth session and became effective on 1 April 1961 (resolutions 1561 (XV) and 1614 (XV)). The revised Regulations of the Fund, incorporating the changes adopted by the General Assembly, have been distributed to all participants, associate participants and former participants or their beneficiaries.

4. Review of the activities and organization of the Secretariat

In accordance with the terms of General Assembly resolution 1446 (XIV) of 5 December 1959, the Secretary-General on 23 June 1960 convened a group of eight experts appointed by him in consultation with the respective Governments to work with him in reviewing the activities and organization of the Secretariat with a view to proposing further measures to ensure maximum economy and efficiency. The resolution referred to above specified a composition of six chosen with due regard to geographical distribution and after consultation with the Governments concerned. In seeking to comply with this resolution, the Secretary-General found it necessary to expand the membership of the Committee from six to eight in order to meet more fully the intention of the General Assembly in respect of geographical distribution. He reported this action to the Assembly in an interim report, and the Fifth Committee concurred in the step he had taken.

During 1960, the Committee of Experts met from 20 June to 5 July and again from 1 to 16 September. It had meetings with the Secretary-General and with senior officials of the Secretariat. Extensive documentation was prepared by the Secretariat in advance of the Committee's meetings and also in response to specific requests of the experts in the course of the Committee's meetings. In accordance with General Assembly resolution 1446 (XIV), the Committee of Experts submitted an interim report to the fifteenth session. In transmitting it to the General Assembly, the Secretary-General drew the Assembly's attention to the assumption stated in the Committee's report that the Secretary-General would not be requested to undertake studies, etc., involving additional expenses or expansion of the regular staff, except in cases of real urgency, until after the Assembly had had the opportunity to examine the Committee's final report.

At its fifteenth session, the General Assembly, by resolution 1559 (XV) of 18 December 1960, requested the Committee of Experts "to study the categories of posts subject to geographical distribution and the criteria for determining the range of posts for each Member State with a view to securing a wide geographical distribution of the staff of the Secretariat, taking into account, *inter alia,* the relative importance of various posts, and to report to the Assembly at its sixteenth session". The Fifth Committee also suggested that the Committee of Experts should consider the development of United Nations library services and report to the Advisory Committee on Administrative and Budgetary Questions.

The Committee of Experts resumed its meetings on 6 February 1961. For the month of March it set up two sub-committees, one of which continued to meet at Headquarters and the other proceeded to Geneva. On 10 April, the full Committee met again at Headquarters and continued its meetings with a brief recess between 28 April and 12 May. The Committee concluded its work on 18 May and the Rapporteur, Mr. Francisco Urrutia of Colombia, submitted the final report of the Committee to the Secretary-General on 14 June.

The Committee pointed out that true economy was best achieved by so organizing the work of the Secretariat that it could be done with the maximum of effectiveness and the minimum use of resources, and not simply by reducing staff and expenditures. It was for Governments to accept the primary responsibility of ensuring that tasks are not imposed on the Secretariat beyond the financial and personnel resources which the Governments are prepared to make available.

The Committee also drew attention to the circumstances in which it had to work. In the absence of a framework of decisions regarding basic questions of organizational structure, the Committee had been forced to deal with basic issues, and its recommendations, except for the question of geographical distribution, had to be stated in general terms.

After reviewing Articles 97 to 101 of the Charter dealing with the Secretariat and noting that the Charter provides for an international Secretariat, the Committee studied the organizational structure established in 1946 and the changes introduced in 1954-1955. It noted that "the ideological and cultural heterogeneity of the Secretariat" placed heavy strains on the concept of an international civil service. The Committee referred to the increase in membership to ninety-nine, resulting in a new imbalance in the geographical distribution of the staff and in additional demands upon the Organization "as a means of advancing the political independence of non-self-governing peoples and promoting the economic and social development of under-developed countries"; the growing tendency to request the Secretary-General to execute resolutions relating to the maintenance of peace and security; and the conflicting points of view as regards the duties and functions of the Secretary-General and his staff.

In chapter III, the Committee considered the organization of the Secretariat at the top level, and it annexed to its report, without comment, the report, prepared in November-December 1960, at the Secretary-General's request by an *ad hoc* group of three past Presidents of the General Assembly regarding the organization of the Secretariat at the Under-Secretary level. The three past Presidents, Mr. Lester B. Pearson (Canada), Prince Wan Waithayakon (Thailand) and Dr. Víctor Belaúnde (Peru), reviewed the proposals made at the fifteenth session of the General Assembly for altering the structure of the Secretariat and agreed that as regards the geographical basis of the staff at the Under-Secretary level, the word "geographical" did not mean "political" or "ideological". The past Presidents recommended that there should be five instead of two Under-Secretaries for Special Political Affairs. These five would be fully integrated in the work of the whole group of Under-Secretaries at Headquarters. They should be interchangeable and any of them should be available for *ad hoc* assignments of a political or diplomatic character.

The Committee of Experts was unable to agree on any single proposal as regards the organization at the top level. The Soviet expert restated the declarations on this subject made by Mr. Khrushchev, Chairman of the Council of Ministers of the USSR, at the fifteenth session of the General Assembly. Three members of the Committee favoured the maintenance of the present structure at the Under-Secretary level but suggested that political questions be handled by three Deputy Secretaries-General. These would be chosen by the Secretary-General, "taking into account the main political trends in the world today". They should be "men of eminence and high attainments, distinguished in public affairs". Other members of the Committee suggested the grouping of Secretariat activities into eight organizational units, each to be headed by a top-level official. They pointed out, however, that it would be "unrealistic to expect the Secretary-General to rely exclusively on the regular staff for advice or for implementation of the responsibilities entrusted to him in connexion with various United Nations missions".

With regard to geographical distribution, the experts drew attention to the requirements of Article 100 setting out the obligation of impartiality and independence on the part of the Secretariat and noted that the Staff Rules and Regulations provided for the detailed implementation of this concept on the basis, in the main, of a career staff. The Soviet expert considered the concept of a career staff as only a cover for the recruitment of the Secretariat on a one-sided basis. The majority of the Committee recommended that the staff of the Technical Assistance Board and the Special Fund should be counted within the total United Nations Secretariat staff for geographical distribution purposes. The Soviet expert considered that all categories of regular staff administered under the Staff Rules and Regulations and participating in the Pension Fund, irrespective of the sources of financing the activities concerned, should be included within the total Secretariat staff for geographical distribution purposes.

The majority of the Committee also recommended that all posts in the G-5 category should be subject to geographical distribution, pending the completion of a special study of the question.

As regards the principles to be applied in implementing the requirement of wide geographical distribution, the majority of the Committee recommended a new formula designed to recognize four factors: (1) the membership, as such, of the Organization; (2) the population factor; (3) the regional aspect; and (4) the size of each Member State's contribution to the regular budget of the United Nations. The Committee unanimously recommended that a forecast plan submitted to it by the Director of Personnel for improving geographical distribution of the Secretariat staff within a period of two to three years, without resorting to extreme measures such as banning promotions or terminating permanent contracts, should be implemented. The Soviet expert also proposed a number of drastic steps, including the limiting of permanent appointments to not more than 30 per cent of the total at the D-1 level and to not more than 40 per cent in the Professional category, the termination of staff from over-represented countries, and the review of the implementation of geographical distribution by the First (Political) Committee of the General Assembly.

The Chairman of the Committee observed in a separate paragraph that "the question really at stake in this chapter is the whole problem of the nature of the Secretariat".

With regard to economic and social activities, the Committee of Experts proposed immediate steps towards decentralization of economic and social activities by transfers of activities and funds from Headquarters to the regional economic commissions and their secretariats. These measures would, however, be subject to "full consultation with the regional commissions and their secretariats as regards the transfer and devolution of functions both as regards methods and timing". The Committee also suggested that the desirability and possibility of some measure of unification among the various programmes of technical assistance be kept in mind for the future. It came to the conclusion that the time was now ripe for responsibility for the execution of technical assistance to be entrusted to the regional economic commissions and their secretariats "as rapidly as the latter are ready to undertake these additional functions".

In a chapter on budget stabilization, the Committee of Experts examined the possibility of separating the budget of the Organization into two parts, an "administrative" budget and an "operational" budget. The Soviet expert recorded his view that all economic and social programmes of the United Nations were improperly financed "in clear violation of the United Nations Charter", since he considered that decisions of the General Assembly, including those relating to financial matters, were not binding on the Members. Other members of the Committee stated that Article 17, paragraph 2, of the Charter conferred on the General Assembly the authority to determine how the expenses of the Organization were to be apportioned among the Members. Still other members of the Committee considered that this question was outside the terms of reference of the Committee of Experts.

The Committee made no recommendations on dividing the budget into two parts; the majority felt that it was not within its terms of reference to express an opinion about the establishment of a ceiling by excluding from the regular budget of the Organization expenses that had been consistently treated by the General Assembly as a part of the basic commitment of all Members. The Committee recommended that the practice now followed by the Advisory Committee on Administrative and Budgetary Questions of examining each year one or two of the main areas of expenditures should be continued. It referred to certain other suggestions as "worthy of consideration": among these, the possibility of more effective establishment and enforcement of programme priorities, the possibility of budgeting on a two-year basis, the desirability of requiring a two-thirds vote in the Fifth Committee instead of a simple majority for the approval of programmes.

In the final chapter of the report, the Committee made several minor suggestions, and in seven annexes prepared by the Secretariat, the Committee submitted illustrative data regarding some of the points discussed. The Committee also decided to include in an appendix to its report several separate statements submitted by individual experts. These statements were not considered or discussed by the Committee and represented only the views of the expert concerned.

5. Financial questions

The following provides information on budgetary and financial questions relating to United Nations regular activities. Information concerning the budgetary and financial aspects of the United Nations Emergency Force and the United Nations operations in the Congo are covered in the portions of this report dealing with these particular activities.

(*a*) BUDGETARY SITUATION

For the last completed financial year 1960, the gross budget expenditure, including unliquidated obligations, amounted to $65,264,181; income from the Staff Assessment Plan was $6,501,117 and other miscellaneous income was $5,863,355, thus leaving a net budget expenditure figure of $52,899,709. The balance in the surplus account at 31 December 1960 was $1,983,986. Of this amount, a sum of $675,163 was applied against the Member States' contributions for the year 1961, and the remaining $1,308,823 is available for credit to Member States against 1962 contributions.

At its fifteenth session, the General Assembly voted appropriations for the year 1961 totalling $72,969,300; it approved an estimated income from staff assessment of $6,730,000 and other income in the amount of $5,531,530. The approved budget for 1961 is issued as Supplement No. 5A to the Official Records of the Fifteenth Session of the General Assembly.

The budget estimates for the financial year 1962, issued as a supplement to the Official Records of the sixteenth session of the General Assembly, show a gross expenditure of $73,533,500; income from staff assessment is estimated at $7,400,000 and other income at $5,348,500, which brings the 1962 net expenditure figure to $60,785,000.

These estimates may be expected to be increased in respect of certain items as a result of decisions taken by the Economic and Social Council at its two 1961 sessions, and the Trusteeship Council and other organs at their current sessions. The foreword to the 1962 budget estimates outlines briefly the anticipated requirements for that year as well as the status of the 1961 budget. Some of the factors reflected in the increased 1962 estimates will also affect the level of budgetary requirements for 1961.

(*b*) Working Capital Fund

By its resolution 1586 (XV) of 20 December 1960, the General Assembly established the level of the Working Capital Fund for the year 1961 at $25 million, the cash advances of Member States being adjusted on the basis of the scale of assessments for the 1961 budget. However, the Assembly, by resolutions 1373 (XIV) and 1552 (XV), fixed the cash advances to the Fund to be made by new Member States admitted during 1958 and 1960, and resolved that they shall be carried as additional funds over and above the authorized level of the Fund. Thus, the Working Capital Fund for the year 1961 stands at $25,237,500.

At the end of May 1961, there remained an unpaid balance of $248,380 in respect of advances due from Member States to the Working Capital Fund.

Under authority granted by the Assembly by resolution 1585 (XV), the Secretary-General had made the following advances from the Fund as at 31 May 1961: for unforeseen and extraordinary expenses, $112,981; for self-liquidating purchases and activities, $297,323; and the remaining balance, for financing budgetary expenditures, $24,578,816, pending receipt of Member States' contributions.

(*c*) Contributions

As at the end of May 1961, the status of the 1961 contributions and those in arrears for 1960 and 1959 were as follows:

	1961 *$*	*1960* *$*	*1959* *$*
Total assessments	69,399,839	58,347,514	61,500,000
Payments and other credits	23,381,191	54,608,468	59,632,682
Balance due	46,018,648	3,739,046	1,867,318

The contributions for the years prior to 1959 had been paid in full.

The apportionment of the 1961 expenses was made on the basis of resolutions adopted by the General Assembly: resolution 1308 (XIII) of 10 December 1958 which established a scale of assessment for Members' contributions for the years 1959-1961; resolution 1373 A (XIV) of 17 November 1959 with regard to the assessment of Guinea, admitted to membership at the end of 1958; and resolution 1552 (XV) of 18 December 1960 with regard to assessment of the new Member States admitted to membership during 1960.

By resolution 1308 (XIII), the General Assembly granted the Secretary-General authority to accept payment of part of the contributions from Member States in currencies other than United States dollars. Taking into account actual United Nations requirements in each currency, arrangements were made to extend to Member States the maximum facilities for paying in non-United States currencies. During 1961, seventeen Member States availed themselves of this prerogative.

6. United Nations Library

The Secretary-General reported to the General Assembly at its fifteenth session on the progress of construction of the new Library building and regarding the level of library resources and services that should be made available to ensure that the new Library might be used to the best possible advantage. He announced that the demolition of the old building had been completed in August, that excavation work was under way and that the construction schedule promised completion of the new building for occupancy in November 1961. Subsequently, construction of the building and planning for its furnishing proceeded according to schedule. By June 1961, the concrete skeleton of the building had been erected, exterior stonework was well advanced, much of the interior mechanical work had been completed, window frames were going into place, all major decisions concerning the interior decoration and furnishings had been taken, and the November 1961 completion date appeared realistic.

In his report, the Secretary-General also reviewed the growing requirement for expanded and improved library services, and outlined the budgetary demands this requirement would entail over the next several years, noting that the development plans he described were essentially the plans which were submitted to the Ford Foundation. The Foundation's generous response in the form of a gift in 1959 thus represented an obligation of the Organization to proceed with these plans.

The Fifth Committee took note of the Secretary-General's report on the understanding that the long-term programme for the development of the library resources and services set out therein would be the subject of review and report by the Advisory Committee on Administrative and Budgetary Questions in connexion with its review of the budget estimates for 1962 and subsequent years, and it also asked the Committee of Experts on the Review of the Activities and Organization of the Secretariat to comment on library services generally (see section 4 above).

7. United Nations International School

The Secretary-General reported to the General Assembly at its fifteenth session that he had continued using his good offices to assist the Board of Trustees of the United Nations International School to solve the problem of permanent accommodation for the School in Manhattan. He expressed appreciation for the co-operation of the Mayor of the City of New York and of City officials in their efforts to extend the availability to the School of its present temporary premises in Manhattan and in the search for a suitable permanent site. Discussions in progress gave ground for hope that headway could be made in 1961 towards the acquisition of a particularly suitable site at a cost which would attract the required voluntary support for its development, thus offering the prospect of the School's current problems being satisfactorily resolved within the five-year period envisaged in General Assembly resolution 1439 (XIV).

In his report, the Secretary-General stated that operating deficits could be expected to decrease in future years as enrolment became more stabilized and teacher-pupil ratios were improved. There was, however, an anticipated deficit of $61,420 for the school year 1960-1961 and a sum of $20,000 would probably be needed in 1961 for the development of plans, estimates and related expenses for the permanent premises. He endorsed the hope that it would be found possible to make an appropriate grant to the International School Fund for 1961.

The General Assembly, in resolution 1591 (XV) of 20 December 1960, expressed its appreciation to the Mayor and the City of New York for their co-operation and assistance; requested the Secretary-General to intensify his efforts to assist the Board of Trustees in finding a suitable site for the School and in raising funds on a voluntary basis for the development of the permanent building and for the creation of an endowment fund which would make the School self-supporting at the earliest possible date; expressed the hope that the Board of Trustees and the School authorities would make every effort to avoid an operational deficit in the next school year, and in particular to expand their efforts to make the School available to a large number of children whose parents are associated with the United Nations without a proportionate increase in expenditure; decided to contribute $60,000 to the International School Fund for 1961 for the purpose of liquidating the operational deficit anticipated for the current school year and to make available an additional amount of $20,000 for such expenses as might be required in 1961 in respect of the plans for the permanent accommodation of the School.

It is hoped that efforts currently being made will be successful in finding a suitable permanent site for the School, and the Secretary-General's good offices will then be used for the raising of funds from private sources for the construction of a suitable building. In view of the delay in securing a site, an extension of the lease of the building presently used by the School in Manhattan has been secured for a further two years.

Meanwhile, the Board of Trustees has been working on a plan for achieving a greater measure of security and the development of the School on a permanent basis. The enrolment has been increased from 330 pupils in 1959-1960 to 367 pupils in 1960-1961. The target enrolment for the 1961-1962 school year has been set at 425.

The Board has appointed a new Director who has for the past five years been in charge of the English section of the International School at Geneva.

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